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NEW DELHI, SATURDAY, JANUARY 5, 1991/PAUSA 15, 1912

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-Section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India other than
the Ministry of Defence)

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

नई दिल्ली, 19 दिसम्बर, 1990

New Delhi, the 19th December, 1990

का.प्रा. 1 —केंद्रीय सरकार, आयुध अधिनियम, 1959 (1959 का 51) को धारा 41 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, भारत सरकार के गृह मंत्रालय की अधिसूचना सं. सा.का.नि. 991, तारीख 13 जुलाई, 1962 का निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की प्रतिसूची 2 में, प्रविष्टि 1(3) के सामने, स्तम्भ 2 के नीचे, "सभी" शब्द के स्थान पर "सभी उनको छोड़कर जो विनिर्दिष्ट होने संबंधित हैं" शब्द रखे जाएंगे।

[सं. वॉ-11012/2/90-गृह]
टी.के. रविन्द्रनाथ, अधीक्षक सचिव

S.O. 1.—In exercise of the powers conferred by section 41 of the Arms Act, 1959 (54 of 1959), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Home Affairs No. GSR 991, dated the 13th July, 1962 namely :—

In Schedule II of the said notification, against the entry 1(3), under column 2, for the word "All" only, the words, "All except those relating to manufacture" shall be substituted.

[No. V. 11012/2/90-ARMS]
T. K. RAVINDRANATH, Under Secy.

पाद टिप्पण :

मूल अधिसूचना, सा.का.नि. 991, तारीख 13 जुलाई, 1962 द्वारा प्रकाशित की गयी थी और तत्पश्चात् इसमें निम्नलिखित अधिसूचनाओं द्वारा संशोधन किए गए :—

1. का.प्रा. 3823, तारीख 25-10-1968
2. सा.का.नि. 592, तारीख 3-5-1970
3. सा.का.नि. 20 तारीख 17-12-1970

FOOT NOTE—The principal notification was published vide GSR No 991, dated 13th July, 1962 and were subsequently amended vide the following notifications :—

1. S.O 3823, dated 25-10-68.
2. GSR 592, dated 3-5-70
3. GSR 20, dated 17-12-70.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 19 नवम्बर, 1990

आयकर

का.आ. 2—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा "इन्दिरा गांधी नेशनल सेंटर फॉर आर्ट्स" नई दिल्ली को कर निर्धारण वर्ष 1990-91 से 1991-92 तक के लिए निम्नलिखित शर्तों के अध्वधीन करने हुए, उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :-

- (i) कर-निर्धारिणी इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है।
- (ii) कर निर्धारिणी ऊपर उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा II की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक वंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जैवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव से स्वेष्टिक संग्रहालय से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा सकेगा,
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाषों के रूप में हों जब तक कि ऐसा कारोबार उक्त कर निर्धारिणी के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों।

[सं. 8762/फा.सं. 197/153/90-आयकर (नि-1)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 19th November, 1990

INCOME-TAX

S.O. 2.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Indira Gandhi National Centre for the Arts", New Delhi for the purpose of the said sub-clause for the assessment years 1990-91 to 1991-92 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any, one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8762/F. No. 197/153/90-IT (A.I)]

नई दिल्ली, 23 नवम्बर, 1990

आयकर

का.आ. 3—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उप खण्ड 4(द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा "सुन्दरम चेरिटिस्, मद्रास" को कर निर्धारण वर्ष 1990-91 से 1992-82 तक के लिए निम्नलिखित शर्तों के अध्वधीन रहते हुए, उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है; अर्थात् :-

- (i) कर निर्धारिणी उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए उसकी स्थापना की गई है;
- (ii) कर निर्धारिणी ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रखे गए स्वेष्टिक संग्रहालयों से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा सकेगा;
- (iii) यह अधिसूचना ऐसी किसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाष के रूप में हों, जब तक कि ऐसा कारोबार उक्त कर निर्धारिणी के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों।

[सं. 8768/फा.सं. 197/168/89-आयकर (नि-1)]

दलीप सिंह, विशेष कार्य अधिकारी

New Delhi, the 23rd November, 1990

INCOME-TAX

S.O. 3.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sundaram Charities, Madras" for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8768/F. No. 197/168/89-IT(A.I)]

DALIP SINGH, Officer on Special Duty

आदेश

नई दिल्ली, 20 नवम्बर, 1990

स्टाम्प

का.आ. 4—भारतीय स्टाम्प अधिनियम, 1899 की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए

सरकार

शुल्क को माफ करती है जो हरियाणा

निगम द्वारा जारी किये जाने वाले तीन करोड़, दो लाख और पचास हजार रुपये मात्र के मूल्य के "निमित्त बंधपत्रों की 35वीं श्रृंखला" के रूप में प्राप्तकारी नोटों के स्वरूप देने संबंधी पर उक्त अधिनियम के अन्तर्गत प्रभावी है।

[सं. 4/90-स्टाम्प-फ.सं. 33/43/90-बि.क.]

ठाकुर दत्त, उप सचिव

ORDER

New Delhi, the 10th December, 1990

STAMPS

S.O. 4.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes—"35th Series of Regular Bonds" of the value of rupees three crores, two lakhs and fifty thousand only to be issued by Haryana Financial Corporation, Chandigarh are chargeable under the said Act.

[No. 43/90-Stamp F. No. 33/43/90-ST]

THAKUR DATT, Dy. Secy.

वाणिज्य मंत्रालय

नई दिल्ली, 19 दिसम्बर, 1990

का.भा. 5 —केन्द्रीय सरकार, मसाला बोर्ड नियम, 1987 के नियम 4 और 5 के साथ पठित मसाला बोर्ड अधिनियम, 1986 (1986 का 10) की धारा 3 की उपधारा (3) द्वारा प्रदान शक्तियों का प्रयोग करते हुए इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 25 फरवरी, 1993 तक निम्नलिखित व्यक्तियों को मसाला बोर्ड के सदस्यों के रूप में नियुक्त करती है और यह निवेश देती है कि भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं. का.भा. 123(प्र) तारीख 26 फरवरी, 1987 में निम्नलिखित और संशोधन किए जाएंगे, अर्थात् :-

उक्त अधिसूचना में—

(क) क्रम संख्यांक 22 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-

"22. अध्यक्ष एवं प्रबंध निदेशक, अध्यक्ष
मसाला व्यापार निगम लिमिटेड,
सं. 72, नन्दी बुग रोड एक्सटेंशन,
बंगलूर-560 046
[नियम 4 के उपनियम के खंड ((क) के अधीन नियुक्त]"

(ख) क्रम संख्यांक 32 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :-

32. श्री के.बी. जार्ज, सवरथ
फरिम्पटम,
अध्यक्ष,
मिला इंडुक्सी, इंटक
आकषाना बंदनमेडु (केरल)

[नियम 4 के उपनियम (1) के खंड (ज) के अधीन नियुक्त]

[का.सं. 7/3/89-ई पी. (इपि 5)-वान्यूम-II]

रवीन्द्र सिंह, उप सचिव

MINISTRY OF COMMERCE

New Delhi, the 19th December, 1990

S.O. 5.—In exercise of the powers conferred by sub-section (3) of section 3 of the Spices Board Act, 1986 (10 of 1986) read with rules 4 and 5 of the Spices Board Rules, 1987, the Central Government hereby appoints the following persons as members of the Spices Board with effect from the date of publication of this notification in the official Gazette to the 25th day of February, 1993 and directs that the following further amendments shall be made in the notification of the Government of India in the Ministry of Commerce S.O. 123(E), dated 26th February, 1987 namely :—

In the said Notification :—

(a) for serial number 22 and the entry relating thereto, the following shall be substituted namely :—

"22. Chairman-cum-Managing Director, Spices Trading Corporation Limited No. 72, Nandidurg Road Extension, Bangalore-560046. —Member.

[appointed under clause (c) of sub-rule (1) of rule 4]";

(b) for serial number 32 and the entry relating thereto, the following shall be substituted namely :—

32. Shri K. V. George,
Karimattom,
President,
Idukki District, INTUC,
P.O. VANDANMEDU (KERALA). Member.

[appointed under clause (h) of sub-rule of (1) of rule 4]".

[No. 43/90-Stamp-F. No. 33/43/90-ST]

RAVINDRA SINGH, Dy. Secy.

ऊर्जा मंत्रालय

(विद्युत विभाग)

नई दिल्ली, 17 दिसम्बर, 1990

का.भा. 6 —केन्द्रीय सरकार, पंजाब पुनर्गठन अधिनियम, 1966, (1966 का 31) की धारा 80 की उपधारा (5) के अनुसरण में व्यास संचारण लाइन परियोजना यूनिट-1, प्रथम-2 के निम्नलिखित संघटकों को, जिनके संबंध में निर्माण पूरा हो गया है, उक्त अधिनियम की धारा 79 के अधीन गठित भाखड़ा व्यास प्रबंध बोर्ड को अंतरित करती है, अर्थात् :-

- (1) नई 220 के.बी. डबल सर्किट भिवानी-दादरी लाइन (34.7 किलोमीटर) दूसरा सर्किट—
- (2) 220 के.बी. डबल सर्किट भिवानी-दादरी लाइन के दूसरे सर्किट के लिए 400 के.बी. सब-स्टेशन भिवानी पर 1 संघटन;
- (3) 220 के.बी. भिवानी-दादरी लाइन के दूसरे सर्किट के लिए 220 के.बी. सब-स्टेशन दादरी पर 1 संघटन।

[का.सं. 1/4/90-बी (बी एण्ड सी)]

बी.के. खन्ना, संयुक्त सचिव

MINISTRY OF ENERGY

(Department of Power)

New Delhi, the 17th December, 1990

S.O. 6.—In pursuance of sub-section (5) of section 80 of the Punjab Reorganisation Act, 1966 (31 of 1966),

the Central Government hereby transfers the following components of the Beas Transmission Line Project, Unit-I, Stage-II, in relation to which the construction has been completed, to the Bhakra Beas Management Board constituted under section 79 of the said Act, namely :—

- (1) New 220 KV Double Circuit Bhiwani-Dadri line (34.7 Km)—2nd circuit;

- (2) 1 No. bay at 400 KV Sub-Station Bhiwani circuit of 220 KV Double Circuit Bhiwani-line;

- (3) 1 No. bay at 220 KV Sub-station Dadri for 2nd circuit of 220 KV Bhiwani-Dadri line.

[F. No. 1/4/90-D(B&B)]

V. K. KHANNA, Jt. Secy.

(कोयला विभाग)

नई दिल्ली, 17 दिसम्बर, 1990

धा.सा. 7 - केन्द्रीय सरकार को यह प्रतीत होता है कि इसमें उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अधिप्राप्त किए जाने की संभावना है ; अतः, अब केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रस्तुत शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय को सूचना देती है ,

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. एम.ई.सी.एल./बी.एम. पी./सी.जी.एम./एल.ई.आर./लैंड/76 तारीख 27 मिनम्बर, 1990 का निरीक्षण माउण्ट ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495001 के कार्यालय में या कलकट्टर प्रेम्कभारा (उड़ीसा) के कार्यालय में या कोयला निबंधक, 1, वार्डसिथ हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है ।

इस अधिसूचना के अधीन आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी तथ्यों, शर्तों और अन्य वस्तुओं, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, उप मुख्य संपदा प्रबंधक, माउण्ट ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर को देंगे ।

अनुसूची

हिगुला धनाक

तालचौर कोयला क्षेत्र

जिला-धनकानाल (उड़ीसा)

रेखांक सं. एम.ई.सी. एल. / बी. एम. पी. / सी. जी. एम/एल.ई. आर./लैंड /76

तारीख 27 मिनम्बर, 1990

(जिसमें पूर्वेक्षण के लिए अधिसूचित भूमि वर्णित की गई है)

क्रम.सं.	ग्राम	थाना सं.	नहसील	जिला	क्षेत्र एकड़ में	टिप्पणियां
1.	बनबासपुर	255	तालचौर	धनकानाल	220.00	भाग
2.	गोपाल प्रसाद खासर	256	"	"	131.00	सम्पूर्ण
3.	पाराबेशा	257	"	"	128.50	भाग
4.	चिसलपुर	258	"	"	150.00	भाग
5.	कुमुण्डा	259	"	"	475.00	भाग
6.	भालुगुडिया	260	"	"	667.89	सम्पूर्ण
7.	कुसुमपाल	262	"	"	467.89	"
8.	गोपालप्रसाद	263	"	"	960.00	"
9.	असतानाबाहाल	264	"	"	109.76	"
10.	मलिबन्ध	265	"	"	294.49	"
11.	नूहामुहिन	266	"	"	168.02	"
12.	अनन्तगडिया	267	"	"	155.93	"
13.	कालामुछुई	268	"	"	1040.28	भाग
14.	बीरबरपुर	290	"	"	62.00	भाग
15.	छुरिया	291	"	"	162.04	सम्पूर्ण
16.	तेलिपुर	292	"	"	368.09	"
17.	खोलोदा	293	"	"	450.00	भाग
18.	गोपालप्रसाद आ.वन	--	"	"	430.00	सम्पूर्ण
19.	जुहामुहिन आ.वन	--	"	"	672.01	"
20.	अम्बापाल	1	अंगुल	"	614.64	"

2	3	4	5	6	7
21. अम्बापाल जंगल	1	अणुल	धेनकनाल	588.10	सम्पूर्ण
22. नातादा	2	अणुल	"	1265.00	भाग
23. बेडियातार्ली	4	"	"	331.83	भाग
24. निसा आठ वन	--	"	"	1509.00	सम्पूर्ण
कुल क्षेत्र		11,231.82 एकड़ (लगभग)	4545.80 हेक्टर (लगभग)		

सीमा वर्णन

क-ख	रेखा कुमुण्डा ग्राम से बिन्दु "क" से प्रारम्भ होती है और कुमुण्डा चितलपुर, पारानेदा बगवामपुर, सोलोदा, ग्रामों से होकर जाती है और बिन्दु "ख" पर मिलती है।
ख-ग-घ	रेखा, सोलोदा, बीरवरपुर ग्रामों से होकर जाती है और तब बीरवरपुर और बालामछुई ग्रामों की सीमा सम्मिलित। सीमा के साथ-साथ जाती है और बिन्दु "घ" पर मिलती है।
घ-ङ-च-छ-ज	रेखा, बालामछुई, नातादा, बेडियातार्ली ग्रामों से होकर जाती है और बेडियातार्ली ग्राम का माथरा उत्तर पूर्वी सीमा के साथ-साथ जाती है और बिन्दु "ज" पर मिलती है।
ज-झ-ञ-ट-ठ	रेखा, बेडियातार्ली, नातादा, अम्बाल, जंगल निसा आरक्षित वन ग्रामों की दक्षिणी सीमा से होकर जाती है और बिन्दु "ट" पर मिलती है।
ट-ड-ड-क	रेखा, निसा आरक्षित वन का पश्चिमी सीमा के साथ-साथ जाती है और बालुगुडिया, कुमुण्डा ग्रामों की पश्चिमी सीमा के साथ-साथ जाती है और आरम्भिक बिन्दु "क" पर मिलती है।

[सं. 43015/21/90-एल एम डब्ल्यू]

वी.पी. राव, अधीक्षक सचिव

(Department of Coal)

New Delhi, the 17th December, 1990

S.O. 7.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing No. SECL/BSP/CGM/LER/Land/76 dated the 27th September, 1990 of the area covered by this notification can be inspected at the office of the South Eastern Coalfields Limited Revenue Section, Scepter Road, Belpur-751001 or at the office of the Collector, Dhenkanal (Orissa) or at the office of the Coal Controller, 1 Council House Street, Calcutta.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Dy. Chief Estate Manager, South Eastern Coalfields Limited, Scepter Road Belpur within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE
HINGULA BLOCK
TALCHER COALFIELD
DISTRICT-DHENKANAL (ORISSA)

Plan No. SECL/BSP/CGM/LER/LAND:76
dated 27th September, 1990
(Showing land notified for prospecting)

Sl. No.	Village	Thana Number	Tahsil	District	Area Acres	Remarks
1.	Banabaspur	255	Talcher	Dhenkanal	220.00	part
2.	Gopalprasad Khampur	256	Talcher	Dhenkanal	132.05	full
3.	Parabeda	257	Talcher	Dhenkanal	128.50	part
4.	Chitalpur	258	Talcher	Dhenkanal	150.00	part
5.	Kumunda	259	Talcher	Dhenkanal	475.00	part
6.	Bhalugadia	260	Talcher	Dhenkanal	667.89	full

1	2	3	4
7. Kusumpal	262 Talcher	Dhenkanal	467.89 full
8. Gopalprasad	263 Talcher	Dhenkanal	960.00 full
9. Asanabahal	264 Talcher	Dhenkanal	109.76 full
10. Malibandha	265 Talcher	Dhenkanal	294.49 full
11. Nuhamuhin	266 Talcher	Dhenkanal	168.02 full
12. Anantagadia	267 Talcher	Dhenkanal	155.93 full
13. Kalamachhuin	268 Talcher	Dhenkanal	1040.28 part
14. Birabarpur	290 Talcher	Dhenkanal	62.00 part
15. Khuringa	291 Talcher	Dhenkanal	162.04 full
16. Telipur	292 Talcher	Dhenkanal	368.09 full
17. Solada	293 Talcher	Dhenkanal	450.00 part
18. Gopalprasad R.F.	— Talcher	Dhenkanal	430.00 full
19. Nuhamuhin R.F.	— Talcher	Dhenkanal	672.01 full
20. Ambapal	1 Angul	Dhenkanal	624.64 full
21. Ambapal Jungle	2 Angul	Dhenkanal	388.40 full
22. Natada	3 Angul	Dhenkanal	1265.00 part
23. Bethianali	4 Angul	Dhenkanal	331.83 part
24. Nisa R.F.	— Angul	Dhenkanal	1509.00 Full
Total		11,232.82 acres (approximately) OR 4,545.86 hectares (approximately)	

Boundary Description :

A-B	Line starts from point 'A' in village Kumunda and passes through Villages Kumunda, Chitalpur, Parabeda, Banabaspur, Solada and meets at point 'B'.
B-C-D	Line passes through villages Solada, Birabarpur then partly along the common boundary of villages Birabarpur and Kalamachhuin and meets at point 'D'.
D-E-F-G-H.	Line passes through villages Kalamachhuin, Natada, Bethianali then partly along the north eastern boundary of village Bethianali and meets at point 'H'.
H-I-J-K-L	Line passes southern boundary of villages Bethianali, Natada, Ambapal Jungle, Nisa Reserved Forest and meets at point 'L'.
L-M-N-A	Line passes along the western boundary of Nisa Reserved Forest and along the western boundary of Bhalugadia Kumunda Villages and meets at the starting point 'A'.

[No. 43015/1/90-LSW]

B.B. RAO, Under Secy.

पेट्रोलियम और केमिकल्स मंत्रालय

नई दिल्ली, 19 दिसम्बर, 1990

का.मा. 8 :- जबकि केन्द्र सरकार यह अनुभव करती है कि मार्बजनिक क्षेत्र में यह आवश्यक है कि पेट्रोलियम पर्याय एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीमाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अधारिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाता है।

और यह भी अनुभव करती है कि उक्त कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोजना का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन [भूमि पर प्रयोजना का अधिकार] ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोजना का अधिकार ग्रहण करने की संज्ञा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 20 दिन के भारत भूमि गण पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अधारिटी आफ इण्डिया लिमि. के.जी. समीन प्रोजेक्ट, 12/76 प्रकाशनगर, राजमंडी -533 103 इन्द्र प्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज करते समय कोई भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से सक्षम विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे न.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईस्ट गोदावरी	सामलकोटा	काप वरम	50	0.335	
			35	0.360	
			24	0.380	
			48	0.380	
			34	0.205	
			11	0.280	
			3	0.080	
			कुल	1.940	

[सं. प्रो. 14016/44/90-जी. पी.]

MINISTRY OF PETROLEUM AND CHEMICALS
New Delhi, the 19th December, 1990

S.O. 8.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA-KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 3 of the Petroleum & Minerals

Pipelines (Acquisition of Right of users in the land) Act, 1962 (50 of 1952), the Central Government hereby declares its intention to acquire the Right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd. K. G. Basin Project, 29-7-13/1, Opp : Gowthami Library, Rajahmundry 533 104, Andhra Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka-Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey No.	Area (In Hect/Acres)	Remarks
East Godavari	Samalkota	Koppauram	50	0.335	
			35	0.360	
			24	0.380	
			48	0.380	
			34	0.205	
			11	0.080	
			3	0.200	
			Total	1.940 Hect.	

[No. O-14016/44/90-G.P.]

का.प्रो. 9 :—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत प्राइम लाईन गैस आथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ सम्बन्धित विवरणी में निर्दिष्ट भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पदार्थ लाईन भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम 1962 (1962 का 50) की खंड 3 के उपखंड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

जबकि कि उक्त भूमि में अपनी गति रखने वाला कोई भी व्यक्ति अधिभूतता की मारिन्स से 21 दिन के मानर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस आथॉरिटी ऑफ इण्डिया लिमि. के.जी. बसिन प्रोजेक्ट, 12 76 प्रकाशनगर, राजमंड्री-533103, आन्ध्र प्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराने समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा बिना व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	भूखे नं. क्षेत्र (हेक्टे. एकड़ में)	विवरण
ईस्ट गोदावरी	पेदपाडी	म. पुरम	175	0.155
			179	0.065
			194	0.125
			210	0.400
			229	0.080
			291	0.370
			290	0.060
			281	0.095
			208	0.015
			287	0.185
			288	0.045
			कुल	1.595 हेक्टे.

[सं. प्रो. 14016/35/90-जी.पी.]

S.O. 9.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA-KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the power conferred by sub-section (i) of Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of users in the land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd. K. G. Basin Project, 12/76 Prakash Nagar, Rajahmundry-533103, Andhra Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka-Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey No.	Area (In Hect/Acres)	Remarks
East Godavari	Pedapudi	Sahapuram	175	0.155	
			179	0.065	
			194	0.125	
			210	0.400	
			229	0.080	
			291	0.370	
			290	0.060	
			281	0.095	
			208	0.015	
			287	0.185	
			288	0.045	
			Total	1.595 Hect.	

[No. O-14016/35/90-G.P.]

का.आ. 10:— जबकि केंद्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अस्तगत पाइप लाइन गैस अधारिटी ऑफ इण्डिया लिमिटेड द्वारा भिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केंद्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

वर्तते कि उक्त भूमि में अपनी कचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अधो-स्ट्री ऑफ इण्डिया लिमि के जी. वसीम प्रोजेक्ट, 12/76 प्रकाश नगर, राजमंडी -533103, आन्ध्रप्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	रामचन्द्रा पुरम	वेगायम्म बेटा	92	0.140	
			108	0.160	
			124	0.120	
			125	0.215	
			125	0.215	
			167	0.270	
			170	0.500	
			173	0.245	
			291	0.135	
			294	0.370	
			346	0.235	
			349	0.250	
			352	0.194	
			174	0.240	
			301	0.060	
			302	0.030	
			303	0.005	
			कुल	3.169	

[सं. प्रो. 14016/22/90-जी.पी.]

S.O. 10 —Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA-KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals pipelines (Acquisition of Right of users in the land) Act, 3389 GI/90—2

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd. K. G. Basin Project, 29-7-13/1, Opp : Gowthami Library, Rajahmundry-533 104, Andhra Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Fatipaka--Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect./Acres)	Remarks
East Godavari	Ramachandrapuram	Vegayambeta	92	0.140	
			108	0.160	
			124	0.120	
			125	0.215	
			167	0.270	
			170	0.500	
			173	0.245	
			291	0.135	
			294	0.370	
			346	0.235	
			349	0.250	
			352	0.194	
			174	0.240	
			301	0.060	
			302	0.030	
			303	0.005	
Total			3.169 Hect.		

[No. O-14016/22/90-G.P.]

का.आ 11:— जलक केंद्र सरकार यत् अनुमत करनी है कि सार्वजनिक स्थल में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाता है।

और यह भी अनुभव करनी है कि उस कार्य के लिए इन्से मलन विवरणी में निर्धारित भूमि पर प्रयोजन का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं अन्विज पाइप लाइन (भूमि पर प्रयोजन का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा उस पर प्रयोजन का अधिकार ग्रहण करने की संज्ञा की घोषणा करनी है।

वर्तते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इण्डिया लि. के जा. अर्सेन प्रोजेक्ट, 12/76 प्रकाश नगर राजमंडी-533 10 र. आन्ध्र प्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराने समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से दायरा विधि आवश्यक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जमाद	तहसील	ग्राम	खेती नं	क्षेत्रफल (हेक्टे एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	काकीनाडा	नीम	122	0.330	
			126	0.290	
			224	0.115	
			222	0.130	
			291	0.205	
			293	0.355	
			131	0.065	
			229	0.010	
			231	0.070	
			228	0.200	

5

226 0.140

225 0.010

244 0.295

243 0.040

295 00.90

कुल 2.335 हेक्टर.

[स. आ 14016/49/90-जी पी.]

S.O. 11.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through LATIPAKA-KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of users in the land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. K. G. Basin Project, 12/76, Prakash Nagar, Rajahmundry-533103, Andhra Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Latipaka-Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area In Hect./Acres	Remarks
East Godavari	Kakinada	Nemam	122	0.330	
			126	0.290	
			224	0.115	
			222	0.130	
			291	0.205	
			293	0.385	
			131	0.065	
			229	0.010	
			234	0.030	
			228	0.200	
			226	0.140	
			225	0.010	
			244	0.295	
			243	0.040	
			295	0.090	
Total				2.335 Hect.	

[No. O-14016/49/90-G.P.]

आ आ 12 — जबकि केन्द्र सरकार यह मानती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस को के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा खिंचा जाता है।

और यह भी अनुभव करने है कि उस कार्य के लिए इसके साथ सम्बन्ध विवरणों के निर्धारित भूमि पर प्रयोजना का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोजना का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्र सरकार एतद्वारा उस पर प्रयोजना का अधिकार ग्रहण करने की गंगा की घोषणा करती है।

अतः यह भूमि या भूमी खिंचने वाला बोर्ड में उचित अधिलेखन की शारीर में 21 दिन के भीतर पेट्रोलियम पाइप लाइन विभाग के तत्पर में सामान्य आगमि सक्षम प्राधिकारी गैस अथॉरिटी आफ इण्डिया लिमिटेड के वकील प्रोजेक्ट. 29-7-1/1/1, गैस की अंशालय, राजमंड्री-533103, आन्ध्र प्रदेश में दर्ज कर सकता है।

प्रार ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह वास्तविक रूप से ग्रथवा विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

घनसूची

टाटीपाका-काकिनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	काकिनाडा	तम्मवरम	67	0 165	
			8	0 010	
			9	0 515	
			68	0 025	
			71	0 285	
			169	0 055	
			170	0 565	
			308	0 345	
			298	0 170	
			294	0 185	
			192	0 095	
			288	0 060	
			कुल	2.475	हेक्टे.

[सं. प्रो. 14016/48/90- जी. पी.]

S.O. 12.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA-KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of users in the land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. K. G. Basin Project 12.76, Prakash Nagar, Rajahmundry-533103, Andhra Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area In Hect./Acres	Remarks
East Godavari	Kakinada	Tammavaram	67	0.165	
			8	0 010	
			9	0 515	
			68	0 025	
			71	0 285	
			169	0 055	
			170	0 565	
			308	0 345	
			293	0 170	
			294	0 185	
			292	0 095	
			288	0 060	
			Total	2.475 Hect.	

का.आ. 13 :—जबकि केन्द्र सरकार यह अनुमति करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लेने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुमति करती है कि उक्त कार्य के लिए इसके माध्यम से निश्चित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं अन्नित पाइप लाइन भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने का मंजूर कर दिया जाता है।

यद्यपि कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के अन्तर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इण्डिया लिमि. , के.जी. बस्तीन प्रोजेक्ट, 12/76 प्रकाश नगर, राजमंडी-533103, आन्ध्र प्रदेश में दर्ज कर सकता है।

और ऐसी आपत्ति दर्ज करते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूचा

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	महसील	ग्राम	सर्वे न.	क्षेत्रफल (हेक्टे./ एकर में)	विवरण
ईस्ट गोदावरी	गार्गस कोठ	पनस पाट्टु	144	0.195	
			160	0.270	
			159	0.195	
			157	0.110	
			158	0.150	
			145	0.095	
			कुल		1.015

[सं. अ. 14016/45/90-जो. पो.]

S.O. 13.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA-KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals pipelines (Acquisition of Right of users in the land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

Provided that any person interested in the said land may within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. K. G. Basin Project, 12/76) Prakash Nagar, Rajahmundry, 533103 Andhra Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area In Hect./Acres)	Remarks
East Godavari	Samalkota	Panasa padu	144	0.195	
			160	0.270	
			159	0.195	
			157	0.110	
			158	0.150	
			145	0.095	
			Total	1.015 Hect.	

[No. O 14016/45/90/G.P.]

का आ. 14.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोविद्युत पार्श्व एवं प्राकृतिक गैस लाइनें के लिए टाटीपाका-काकिनाडा पाइप लाइन परियोजना के अर्वांगिक पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा विद्यमान आना है।

और यह भी अनुभव करती है कि उक्त कार्य के लिए इसके साथ सम्बन्धित विभागों में निर्धारित भूमि पर गवेषणा का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोविद्युत एवं खनिज पाइप लाइन भूमि पर प्रयोजन का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्द्वारा इस पर प्रयोजन का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

अथवा कि उक्त भूमि में पार्श्व रुचि रखने वाला कोई भी व्यक्ति अधिसूचना का तात्पर्य से 21 दिन के अन्दर सूचित पाइप लाइन विभाग के विरोध में अपनी वास्तविक सक्षम प्राधिकार गैस अथॉरिटी आफ इण्डिया लि. के जी. बसिन प्रोजेक्ट 12/76 प्रमाणपत्र, राजमन्ड्री-533103, आन्ध्र प्रदेश में देने कर सकता है।

और ऐसा अपारिजत रूप से प्रमाणित करने के लिए कि उक्त अधिनियम से उक्त अधिनियम से उक्त अधिनियम के माध्यम से अपना मत प्रकट करना चाहता है।

अनुसूची

टाटीपाका-काकिनाडा गैस पाइप लाइन प्रोजेक्ट

क्रमसं.	तहसील	ग्राम	सं. न.	क्षेत्रफल (हेक्टे / एकर में)	विवरण
ईस्ट गोदावरी	पेवादापु	सपूर	673	0.435	
			671	0.180	
			647	0.225	
			641	0.180	
			599	0.115	
			542	0.095	
			566	0.230	
			673	0.175	
			646	0.095	
			636	0.005	
			598	0.115	
			541	0.110	
			543	0.110	
			564	0.115	
			561	0.025	
			580	0.135	
			559	0.115	
			कुल	2.415	हेक्टे.

[सं. ओ. 14018/33/90-जी. पी.]

S.O. 14.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA-KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto,

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the Land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. K. G. Basin Project, 12.76, Prakash Nagar, Rajahmundry-533 103, Andhra Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner

SCHEDULE

Tajpur ka Rekha Gas Pipeline Project

District	Mandal	Village	Survey No.	Area (In Hect./Acres)	Remarks
East Godavari	Pedapudi	Sampana	674	0.435	
			671	0.180	
			647	0.225	
			641	0.180	
			599	0.115	
			542	0.095	
			566	0.230	
			673	0.125	
			646	0.095	
			636	0.025	
			598	0.115	
			541	0.110	
			543	0.115	
			564	0.115	
			561	0.025	
			560	0.135	
			559	0.115	
Total			5.515 Hect		

[No O-14016/33/90-G P]

का आ 15. — जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक क्षेत्र में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस ला के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अधारिटी आफ इण्डिया लिमिटेड द्वारा शिफारश किया जा रहा है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संगत विवरणों में निर्धारित भूमि पर प्रयोजना का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोजना का अधिकारी ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोजना का अधिकार ग्रहण करने की मना की घोषणा करती है।

बताना कि उक्त भूमि में अपनी रचि रखने वाला कोई व्यक्ति अधिनियम की तारीख में 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सूक्ष्म प्राधिकारी गैस अधारिटी आफ इण्डिया लिमि के जी बमोन प्रोजेक्ट 12/76 प्रकाशनगर राजमंत्रि-503103 आन्ध्रप्रदेश में दर्ज करा सकता है।

और ऐसा आपत्ति दर्ज करने समय किसी भी व्यक्ति का यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से यथवा लिखित व्यवसाय के माध्यम से अपना मत प्रस्तुत करता चाहता है।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	मोत	क्षेत्रफल (हेक्टे / एकड़ में)	विवरण
1	2	3	4	5	6
ईस्ट गोदावरी	रामचन्द्रा पुरम	बेला		78 0 145	
				188 0 690	
				131 0 100	
				135 0 150	
				137 0 145	
				100 0 100	
				99 0 720	
				82 0 180	
				51 0 135	
				80 0 190	

	1	5
	379	0 025
	19	0 035
	73	0 050
	74	0 360
	55	0 080
	कुल	2 005 ईपटे

[म ओ 140016/26/90-जी पी]

S.O. 15.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA-KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals pipelines (Acquisition of Right of users in the land) Act,

1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd. K. G. Basin Project 29-7-1/3/1, Opp Gowthami Library, Rajahmundry-533 104, Andhra Pradesh

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos	Area (In Hect/Acres)	Remarks
East Godavari	Ramachandrapuram	Vella	378	0 145	
			188	0 090	
			131	0 100	
			135	0 130	
			137	0 145	
			100	0 100	
			99	0 220	
			82	0 180	
			81	0 135	
			80	0 190	
			379	0 025	
			193	0 035	
			73	0 050	
			74	0 360	
			55	0 080	
			Total	2 005 Hect	

[No O-14016/26/90 G.P.]

का.आ. 16.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथाविटी आक इण्डिया लिमिटेड द्वारा सिद्धाया जाता है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोजना का अधिकार ग्रहण करना आवश्यक है।

अन पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोजना का अधिकार) ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उस पर प्रयोजना का अधिकार ग्रहण करने की मना की घोषणा करती है।

वशात् कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सभ्य प्राधिकारी गैस अथाविटी आक इण्डिया लिमि के जी अर्मीन प्रोजेक्ट 12/76 प्रकरण नगर राजमंड्री-533103, आन्ध्रप्रदेश में दर्ज कर सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से विधिपूर्वक करना होगा कि वह व्यक्तिगत रूप से प्रत्यक्ष विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. / एकड़ में)	विवरण
ईस्ट गोदावरी	काकीनाडा	सरपवुरम	290	0.500	
			283	0.130	
			242	0.320	
			236	0.110	
			233	0.165	
			230	0.270	
			190	0.325	
			292	0.065	
			291	0.060	
			227	0.020	
			229	0.060	
			195	0.090	
			कुल	2.115	हेक्टे.

[सं. प्री. 14016/42/90-जी.पी.]

S.O. 16.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA-KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of users in the land) Act,

1962 (30 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. K. G. Basin Project, 29-7-1[3]1, Opp: Gowthami Library, Rajahmundry-533104, Andhra Pradesh.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka - Kakinaada Gas Pipe Line Project

District	Mandal	Village	Survey No	Area (In Hect/Acres)	Remarks
East Godavari	Kakinada	Sarpauaram	290	0.500	
			283	0.130	
			242	0.320	
			236	0.110	
			233	0.165	
			230	0.270	
			190	0.325	
			292	0.065	
			271	0.060	
			227	0.020	
			229	0.060	
			195	0.090	
			Total	2.115 Hect.	

[No. O-14016/42/90-G.P.]

का प्रा. 17.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणों में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) के अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की गंगा की घोषणा करती है।

वर्णित कि उक्त भूमि में आती रहि रखने या कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिनों के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति नक्षत्र प्राधिकारी गैस अथॉरिटी आफ इण्डिया लिमि. के. जी. बसंत प्रोजेक्ट 12/76 प्रकाशनगर, राजमंड्री-533103, आन्ध्र प्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज करने समय किसी भी व्यक्ति को यह विशेष रूप से निविष्ट करना होगा कि वह व्यक्तिगत रूप से अपना विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जन्मपत्र	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्टगोदावरी	समल कोट	मामील्लोडुडी	85	0.435	
			81	0.210	
			80	0.400	
			79	0.055	
			86	0.075	
			कुल	1.175	हेक्टे.

[सं. मो. 14016/43/90-जी.पी.]

S.O. 17.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA—KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, it exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of users in the land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user there;

PROVIDED that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd., K. G. Basin Project. 12/76, Prakash Nagar, Rajahmundry-533103, Andhra Pradesh.

And, every person making such an objection shall also state specifically whether he wishes to be heard in person in person or by legal Practitioner.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect./Acres)	Remarks
East Godavari	Samalkota	Mamilladoddi	85	0.435	
			81	0.210	
			80	0.400	
			79	0.055	
			86	0.075	
			Total	1.175 Hect.	

[No. O-14016/43/90-G.P.]

का.मा. 18.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणों में निम्नलिखित भूमि पर प्रयोजन का अधिकार ग्रहण करना आवश्यक है।

आ. पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोजन का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोजन का अधिकार ग्रहण करने की मना की घोषणा करती है।

वर्तते कि उक्त भूमि में अपनी रजि रखने वाला कोई भी व्यक्ति अधिसूचना का तारीख से 21 दिनों के भीतर भूमिगत पद्धत लाई बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इण्डिया लिमिटेड के. जी. बमाल प्रोजेक्ट, 12/76 प्रकाश नगर, राजमंड्री-533103, आन्ध्र प्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज करते समय किसी भी व्यक्ति का यह विशेष रूप से निविष्ट करना होगा कि यह व्यक्तिगत रूप से अपना विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

भूमि

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. एकड़ में)	विवरण
ईस्ट गोदावरी	करप	बेलंगी	30	0.405	
			11	0.025	
			10	0.070	
			8	0.025	
			कुल	0.525	हेक्टे

[सं. प्रो. 14016/30/90 जो. पी.]

S.O. 18.—Whereas it appears to the Central Government that it is necessary in the public interest that for transport of Petroleum and Natural Gas through TATIPAKA—KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of users in the land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

PROVIDED that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd., K. G. Basin Project, 12/76, Prakash Nagar, Rajahmundry-533103, Andhra Pradesh.

And, every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
East Godavari	Karapa	Velangi	30	0.405	
			11	0.025	
			10	0.070	
			8	0.025	
			Total	0.525	

[No. O-14016/30/90 G.P.]

का. प्रा. 19.—जबकि केंद्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाय।

और यह भी अनुभव करती है कि उस कार्य के लिए उसके साथ नैसर्गिक विवरणों में निवारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपना हर्ष रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख में 21 दिनों के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति मन्त्र प्राधिकारी गैस अथॉरिटी आफ इण्डिया लिमि. के. जी. बयान प्रोजेक्ट, 12/76 प्रकाश नगर, राजमंड्री-533103, आन्ध्र प्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराने समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह आस्तिसंगत रूप से अपना विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूचा

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जमपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./एकड़ में)	विवरण
ईस्ट गोदावरी	कराप	कुरडा	202	0.310	
			201	0.285	
			48	0.025	
			179	0.130	
			184	0.060	
			कुल	0.810	हेक्टे

[सं. बो. 14016/32/90-जी.पी.]

S.O. 19.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA—KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of users in the land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

PROVIDED that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., K.G. Basin Project, 29-7-1/3/1, Opp. Gowthami Library, Rajahmundry-533104, Andhra Pradesh.

And, every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
East Godavari	Karapa	Kurada	202	0.310	
			201	0.285	
			48	0.025	
			177	0.130	
			184	0.060	
			Total	0.810 Hect.	

[No. O-14016/32/90-G.P.]

का.प्र. 20.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः, पेट्रोलियम एंड खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकारग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की संज्ञा की घोषणा करती है।

वशतः कि उक्त भूमि में अपनी रचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के अन्तर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इण्डिया लिमि. के. जी. बस्तीन प्रोजेक्ट, 12/76 प्रकाश नगर, राजमंड्री-533103, आन्ध्रप्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे / एकड़ में)	विवरण
ईस्ट गोदावरी	करप	चीनमामीडाडा	34	0.250	
			35	0.195	
			36	0.285	
			38	0.260	
			40	0.035	
			41	0.080	
			49	0.135	
			53	0.325	
			48	0.260	
			50	0.130	
			45	0.035	
			कुल	1.900 हेक्टे	

[सं. ओ. 14016/31/90-जी.पी.]

S.O. 20.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TALIPAKA—KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals pipelines (Acquisition of Right of user in the land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user thereon;

PROVIDED that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd., K.G. Basin Project, 12/76, Prakash Nagar, Rajahmundry-533 103, Andhra Pradesh.

And, every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
East Godavari	Karapa	Chinamamidada	34	0.250	
			35	0.175	
			36	0.285	
			38	0.260	
			40	0.035	
			41	0.080	
			49	0.135	
			53	0.235	
			48	0.260	
			50	0.130	
			45	0.035	
			Total	1.900 Hect.	

का.भा. 21.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः, पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में खानी रुकने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इण्डिया लिमि. के जी. घसीन प्रोजेक्ट, 12/76 प्रकाश नगर, राजमंड्री-533103, आन्ध्र प्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./ एकड़ में)	विवरण
ईस्ट गोदावरी	करप	सीरीपुरम	3	0.245 0.225	
			कुल	0.470	हेक्टे

[सं. ओ. 14016/28/90-जी.पी.]

S.O. 21.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA—KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-Section (i) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of users in the land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

PROVIDED that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd., K.G. Basin Project, 29-7-13/1, Opp. Gowthami Library, Rajahmundry-533104, Andhra Pradesh.

And, every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
East Godavari	Karapa	Siripuram	3 5	0.245 0.225	
			Total	0.470 Hect.	

[No. O-14016/28/90-G.P.]

का.भा. 22.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अन्तर्गत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः, पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखंड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

जहाँ कि उक्त भूमि में अपनी इज्जत रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिनों के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति समक्ष प्राधिकारी यैस अधिस्ति अह्म इफ्किमा-किमि. के. जी. बसीन प्रोजेक्ट, 12/76, प्रकाश नगर, राजमुद्र-533103, आन्ध्र प्रदेश में दर्ज कर सकता है।

और ऐसी आपत्ति दर्ज करते समय किसी भी व्यक्ति को यह विशेष रूप से विधिष्ट करना होगा कि वह आधिकारिक रूप से अपना व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

टाटीपाका-काकिनदा गैस पाइप लाइन प्रोजेक्ट

अवध	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे./एकड़ में)
ईस्ट गोदावरी	पेदपुडी	कैकवोलु	180	0.350
			179	0.280
			186	0.225
			188	0.245
			193	0.345
			221	0.215
			220	0.140
			225	0.395
			228	0.380
			232	0.300
			174	0.005
			178	0.045
			194	0.005
			कुल	2.930
				हेक्टे

[स. ओ. 14016/36/90-जी.पी.]

S.O. 22.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA—KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And whereas It appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-Section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of Users in the Land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein;

PROVIDED that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., K. G. Basin Project, 12/76, Prakash Nagar, Rajahmundry-533103, Andhra Pradesh.

And, every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka-Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
East Godavari	Pedapudi	Kaikavolu	180	0.350	
			179	0.280	
			186	0.225	
			188	0.245	
			193	0.345	
			221	0.215	
			220	0.140	
			225	0.395	
			228	0.380	
			232	0.300	
			174	0.005	
			178	0.045	
			194	0.005	
			Total	2.930 Hect.	

[No. O-14016/36/90-G P]

का.आ. 23.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए टाटीपाका-काकीनाडा पाइप लाइन परियोजना के अस्तगत पाइप लाइन गैस अथॉरिटी आफ इण्डिया लिमिटेड द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उक्त कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार, ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रवर्तन शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की संज्ञा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी दखि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी गैस अथॉरिटी आफ इण्डिया लिमि. के.जी. बसीन प्रोजेक्ट, 19-7-1/3/1, गौतमी मंत्रालय, राजमुंद्री-533103, आन्ध्रप्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अपना विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

टाटीपाका-काकीनाडा गैस पाइप लाइन प्रोजेक्ट

जमपट	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे. / एकड़ में)	विवरण
ईस्ट गोदावरी	सामल कोट	माधव पट्टम	97	0.145	
			107	0.165	
			149	0.010	
			137	0.260	
			कुल	0.580	हेक्टे

[सं. ओ. 14016/40/90-जी.पी.]

राजीव महर्षि, उप सचिव

S.O. 23.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas through TATIPAKA—KAKINADA pipeline is to be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying this pipeline it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, it exercise of the powers confirmed by sub-section (i) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in the Land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of user therein:

PROVIDED that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority. Gas Authority of India Ltd., K.G. Basin Project, 12/76, Prakash Nagar, Rajahmundry-533103, Andhra Pradesh.

And, every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Tatipaka—Kakinada Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hec ^t /Acres)	Remarks
East Godavari	Samalkota	Madhavapattam	97	0.145	
			107	0.165	
			149	0.010	
			137	0.260	
			Total	p. 580 Hec ^t	

[No. O-14016/40/90 G.P.]

RAJIV MEHRSI Dy. Secy.

श्रम मंत्रालय

नई दिल्ली, 10 दिसम्बर, 1990

का.पा. 24.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सैससे रामजी जे सिंह एण्ड नो. बम्बई के प्रबन्धन के संबंध नियोक्ता और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-12-90 को प्राप्त हुआ था।

MINISTRY OF LABOUR

New Delhi, the 10th December, 1990

S.O. 24.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Ramjee Jaisinh & Co., Bombay and their workmen, which was received by the Central Government on 6-12-90.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Reference No. CGIT-10 of 1988

PARTIES:

Employers in relation to the Management of Ramjee Jaisinh and Company.

AND

Their workmen.

APPEARANCES:

For the Management—Shri P. R. Namjoshi, Advocate.

For the Workmen—Shri S. R. Wagh, Advocate.

INDUSTRY : Port and Dock STATE : Bombay

Bombay, dated the 22nd November, 1990

AWARD

The Central Government has referred the following industrial dispute to this Tribunal for adjudication under section 10 of the Industrial Disputes Act, 1947.

"Whether the action of the Management of M/s. Ramjee Jaisinh & Co., Bombay, operating in the port of Bombay, in terminating the services of Shri R. K. Mishram, Dock Clerks, w.e.f. 1-1-1987 is justified? If not, to what relief the workman is entitled to?"

2. M/s. Ramjee Jaisinh and Company (for short 'the Management') are working as forwarding and clearing agents in the port of Bombay. R. K. Meshram (for short 'the Workman') was working in their service as a clerk for about 10 years till 31-12-86, on which date notice (Ex. W-5(1)) served on him, terminating his services with effect from 1-1-87. The reason stated in the notice is that he had become surplus on account of the fall in the volume of business.

3. The Workman challenges the notice on two main grounds. In the first place he submits that he was not the juniormost employee and as such the axe of retrenchment should not have fallen on him, when as many as four employees junior to him continued to be retained by the Management. According to him he has been victimised for his Trade Union activities. His other contention is that the notice is bad in law, inasmuch as his employment was terminated with immediate effect without having retrenchment compensation. Accordingly he seeks a declaration that the

termination of his services is illegal and requests for reinstatement with full back wages.

4. The fact that the Workman had worked for 240 days in the year immediately proceeding the date of his termination is not in dispute. The Management have rested his claim on the following grounds:

- (i) This tribunal has no jurisdiction, inasmuch as the State Government, and not the Central Government, is the appropriate Government.
- (ii) The Workman was not working in the general category of clerks, but as Docks Clerk. In this category he was the juniormost at the time of termination.
- (iii) He was offered wages in lieu of one month's notice and also retrenchment compensation as prescribed by law.

5. At the final hearing, the Management did not press their objection relating to the jurisdiction of the Tribunal. Prima facie the industrial dispute relates to Bombay Port, which is a major port. Accordingly I hold that this Tribunal has jurisdiction to entertain and try this reference.

6. The Workman WW1, and the Management Firm's partner, Pradeep Chauhan MW1 have filed their affidavits in support of their respective cases. Both have been duly cross-examined by the opposite side. According to the Workman, four workmen by names Desai, Ahire, Junnare and Jadhav were junior to him as on 1-1-87. As against this, Chauhan states that the Workman was the juniormost employee in the Docks section. There is dispute between the two sides as to whether there was only one general category of clerks, including those working at the Docks, or whether the Docks Clerks made a separate category. However this question need not detain us for long, since even on the assumption that there was a separate category of Docks clerks as alleged by the Management, the evidence clearly shows that at least one clerk by name Desai working in the Docks was junior to the present Workman. Admittedly Desai was retained in service even after 1-1-87. Ex. W-6 is the photocopy of Docks Entry permit of this Desai. Chauhan admitted that the photograph on this document is that of their employee Desai. The document records that he was working as Docks clerk with the Management. The permit is shown to be valid till April, 1987. Ex. M-16 is the muster roll of Docks Clerks, in which the present Workman is shown to be juniormost being at S. No. 4. Desai's name does not figure in this muster roll at all. There is however, a remark at the bottom of the Muster roll for year 1986. "4+4=8" and it is signed by the Management's representative. This creates a ring of truth round the Workman's claim that there were other four clerks in Management's services, whose names did not figure in the muster roll. Desai must be one of these four Dock clerks whose names do not figure in the rolls and as such junior to the present workman. Accordingly, I hold that the present Workman was not the juniormost clerk in the Docks section when his services came to be terminated on 1-1-87. The Management were not justified in terminating his services, since at least one Docks Clerk Desai, was junior to him.

7. The Management have also failed to give the Workman one month's notice or pay him one month's wages in lieu thereof. Chauhan had in the earlier part of his evidence claimed that Ex. M-12 is the true copy of the notice which was served on the Workman by hand delivery on 1-1-87. There are some significant corrections made in the copy in hand, which do not figure in Ex. W-5(1), which, as admitted by Chauhan is the original notice actually served on the Workman. So far as Ex. W-5(1) goes, the material portion reads, "You have been given this one month's notice. You are requested to collect retrenchment dues, gratuity and other dues if any from our office immediately." There is no mention of any offer to pay one month's wages in this notice. The fact that such offer finds place in the copy Ex. M-12, when the text is read along with the hand written corrections, can be of little solace to the Management. It appears that this addition in ink was made in Ex. M-12, some time later after Ex. W-5(1) was served on the Workman. As Ex. W-5(1) does not contain any such tender of one month's

pay and the Workman's employment was terminated forthwith, the notice becomes void, apart from the fact that the Workman was not the junior most employee as on 1-1-87.

8. The result is that he will have to be reinstated. Normally full back wages are to be granted, unless there is satisfactory evidence to show that the Workman was in the material period elsewhere employed for gain. Chauhan asserts that the Workman was working with one Radhakrishna Shipping Company, Ballard Estate, Bombay. The Workman solemnly denies this. The Management have not examined any one from the Company, which could have been easily done. I see no reason to prefer Chauhan's uncorroborated word to the denial of the Workman, particularly when the former's evidence has been found unreliable on other vital aspects also. I proceed on the basis that the workman had no alternative employment after the termination of his services by the Management.

9. I hold that the termination of the Workman's services with effect from 1-1-87 is illegal and unjustified. He is directed to be reinstated in services with full back wages from 1-1-87. The Management shall pay Rs. 1,000 as costs to the Workman and bear their own. The amount of back wages and costs shall be paid to the Workman within 30 days of the publication of this Award by the Central Government. The amount that remains unpaid even beyond the aforesaid time limit, shall carry interest @ 9 per cent p.a. from that date till payment. Award accordingly.

S. N. KHATRI, Presiding Officer
[No. L-31012/10/87-D.IV(A)]

का. घा. 25.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सैसर्ग उड़ीसा माइनिंग कारपोरेशन लि. किशोरगंज के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक प्रतिक्रिया उड़ीसा, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-12-90 को प्राप्त हुआ था।

S.O. 25.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Orissa Mining Corpn. Ltd. Keonjhar and their workmen, which was received by the Central Government on 7-12-90.

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

Industrial Dispute Case No. 40 of 1987 (Central)

Dated, Bhubaneswar, the 26th November, 1990

BETWEEN :

The Management of
M/s. Orissa Mining Corporation Ltd.,
At/P.O. Barboil Dist. Keonjhar.

.....FIRST PARTY—MANAGEMENT.

AND

Their workman
Shri Tusarkanti Ghosh,
represented through the North
Orissa, Workers Union, Rourkela.

.....SECOND PARTY—WORKMAN.

APPEARANCES :

Sri D. Pradhan, Manager (Personnel & Admn.), of the Corporation—For the First Party—Management.

Sri B. S. Pati, General Secretary of the Union—For the second party—workman.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred upon them by clause (d) of sub-section (1) and subsection (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) and by their order No. L-26011/16/85-D.III(B) dated 31st March, 1987 have

referred the following dispute for adjudication by this Tribunal:—

"Whether the action of the management of Dubna Manganese Mines and Khandadhar Iron Mines of M/s. Orissa Mining Corporation Ltd., At/ P.O. Barbil, Dist. Keonjhar in refusing to give to Shri Tusarkanti Ghosh and Shri Purna Chandra Chhatraai, Tractor Compressor Operators the scale of pay of Rs. 370—660 is unjustified? If so, to what relief are the said workmen entitled?"

2. The General Secretary of the North Orissa Workers' Union, Rourkela filed written statement on behalf of only one of the workman concerned in the dispute, namely, Sri Tusarkanti Ghosh. The other workman did not file written statement in this proceeding nor appeared.

3. In the written statement of the second party, it is stated that he is working under the First Party-Management as a Tractor Compressor Operator since 1-8-1975. The scale of pay of Tractor Compressor Operator was fixed in 1983 at Rs. 370-660 but he was not paid salary at the above scale though two of his juniors, namely, Sri R. C. Patra and Sri K. R. C. Nayar were paid salary at the said scale. It is alleged that since the second party Sri Ghosh is discharging the duties of a Tractor Compressor Operator from 1-8-1975 he is entitled to salary at the scale of Rs. 370-660 from 1-8-1975 with other consequential benefits.

4. The First Party-Management filed written statement stating that the second party Sri Ghosh was appointed as a Tractor Operator on 24-7-75 by the competent authority, namely, the Secretary of the Corporation and he joined as a Tractor Operator as per his joining report dated 1-8-75. Sri Ghosh claimed the scale of pay of Rs. 370-660 relating upon the letter No. 21941/OMC/83 dated 3/4-10-83 which he has misinterpreted to be the office circular issued on fixation of scales of pay relating to Tractor Operators. In fact, it was a draft gradation list prepared for the employees of the Corporation taken as a whole and it had nothing to do with the fixation of pay. It is stated that the said draft gradation list is under finalisation and the scale of pay mentioned therein was different than the scale admissible to a Tractor Operator. It is stated that a circular was issued on 23-6-82 regarding fixation of pay of the Corporation employees as a whole and in that the pay scale of Tractor Operator was revised to Rs. 330-580. Accordingly, the pay of Sri Ghosh was fixed at Rs. 390 + RPP Rs. 12 with effect from 1-1-82 in the scale of pay of Rs. 330-580 and Sri Ghosh did not object to the above pay fixation order. It is stated that in any event Sri Ghosh is not entitled to pay as a Tractor Compressor Operator as revised in 1982 because during the period from 1-1-74 to 31-12-81 the scale of pay of Tractor Operator and Tractor Compressor Operator was Rs. 300-430 only. In other words, both were in the same scales of pay.

In the written statement of the Management details are given about the existence of three different cadres prior to rationalisation of the pay of the Corporation with effect from 1-1-82. Those are—(a) Tractor Operator, (b) Tractor Compressor Operator and (c) Compressor Operator Grade-I. In the statement, it is stated that Sri Ghosh was appointed as a Tractor Operator and he joined the said post on 1-8-75, while Sri R. C. Patra and K. R. C. Nayar were appointed as Tractor Compressor Operators and they both joined respectively on 16-10-76 and 21-10-76. It is also stated in the written statement of the Management that the second party-workman Sri Ghosh did not appear in the selection test held earlier on 13-6-83, 19-1-85 and 28-3-85. The other second party-workman Sri P. C. Chhotray though did not appear at the above selection test earlier he appeared before another selection committee on 3-7-86 and having been found suitable he was appointed as a Tractor Compressor Operator in the scale of pay of Rs. 370-660 and he joined the said post on 13-9-86 and in the circumstance, he did not appear in this proceeding and intimated that he does not have any dispute on the aforesaid question with the Management.

5. The only question which arises for consideration in this proceeding is as to whether the workman Sri Ghosh was appointed as a Tractor Compressor Operator and as such, he was entitled to the scale of pay of a Tractor Compressor Operator as claimed by him.

6. The workman examined himself alone in this proceeding and he admitted that by the appointment order Ext. A dated 24-7-75 which he received from the Management he was appointed as a Tractor Operator and as per the joining report submitted by him Ext. B he joined as a Tractor Operator. He admitted to have submitted the applications Ext. C dated 20-5-78, Ext-D dated 8-1-86 and Ext. E dated 11-4-85, wherein he designated himself as a Tractor Operator and not as a Tractor Compressor Operator. He further admitted that the Management had asked him to attend an interview for the post of Tractor Compressor Operator on 19-1-85 but he did not attend the same and submitted his application Ext. F stating that since he has been functioning as a Tractor Compressor Operator he should be designated as such. He also admitted that in 1978 he did not make any application for the post of Tractor Compressor Operator. According to him, prior to 1982 the pay scales of Tractor Compressor Operator and Tractor Operator were the same which became different only after 1982. The workman Sri Ghosh relied upon the authority given to him under the Mines Act and the office orders Exts. 3 to 12, wherein he was designated as a Tractor Compressor Operator of the Mines by the Administrative Officer. He also relied upon Ext. 1 dated 30-4-82 which is a certificate given to him by the Administrative Officer wherein he was described as a Tractor Compressor Operator.

On behalf of the First Party-Management the junior Administrative Officer of the Corporation was examined, who stated that as per the service rules of the Corporation, the Secretary is the appointing authority of all Grade-III employees and no other Officer has been authorised to issue appointment orders in respect of any Grade-III posts. Change of designation made in any order by any other Officer, according to this witness, is of no effect. He stated that prior to 1982, tractor compressor Operators and Tractor Operators were at the same scales of pay which became different only in 1982. He stated that when two different scales of pay were introduced in the above two posts the same were circulated and were displayed in the Notice Board with reference to Ext. 10, he stated that mention of the designation of Sri Ghosh therein as a Tractor Compressor Operator was a typographical mistake. He also stated that mistake in designating the second party workman in several office orders occurred, probably because the scales of pay of the Tractor Compressor Operator and the Tractor Operator were the same and in the application filed by him the workman described himself to be a Tractor Compressor Operator.

7. The aforesaid evidence clearly indicate that the workman Sri Ghosh did not apply for the post of Tractor Compressor Operator in 1975 and admittedly, he was appointed as a Tractor Operator as per Ext. A. Prior to 1982 the scales of pay of Tractor Operators and Tractor Compressor Operators were the same and only in 1982, two different scales of pay were introduced for the two posts. Thereafter tests were held to make appointment to the posts of Tractor Compressor Operator but the workman did not appear at an such test on the plea that he had been discharging the duties of a Tractor Compressor Operator since before. Besides himself stating that he had been discharging the duties of a Tractor Compressor Operator he relied upon the documents Exts. 1 to 12 to show that in fact, he discharged the duties of a Tractor Compressor Operator. The Junior Administrative Officer examined on behalf of the Management stated in his evidence that he could not say if the second party-workman is as discharging the duties of a Tractor Compressor Operator since the date of his appointment as per Ext. A. In view of the statements on oath made by the workman Sri Ghosh, considered alongwith the documents Exts. 1 to 12 which were issued by the Officers of the Corporation it can well be concluded that though Sri Ghosh had been appointed as a Tractor Operator, in fact, he performed the duties of a Tractor Compressor Operator. As such, I think, he would be entitled to the scale of pay which was introduced for a Tractor Compressor Operator with effect from 1-1-82 and not before, in as much as, before that date, the scales of pay of a Tractor Operator and a Tractor Compressor Operator were the same.

8. In the circumstance, I would hold that the action of the First Party-Management in refusing to give Sri Tusarkanti Ghosh the scale of pay of a Tractor Compressor Operator

from 1-1-82 is unjustified in view of the proved facts that he continued to discharge the functions of a Tractor Compressor Operator even after that date. Accordingly, Sri Ghosh would be entitled to salary in the above scale from 1-1-82, minus the amount he has already received during the period.

The reference is answered accordingly.

S. K. MISRA, Presiding Officer
[No. L-26011/16/85-D.III(B)]

का. मा. .26.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बोलानी ओर्स माइन्स दुरगपुर स्टील प्लांट (सल) किम्बोन्जहार के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, उड़ीसा भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-12-90 को प्राप्त हुआ था।

S.O. 26.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Orissa, Bhubaneswar as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bolani Ores Mines of Durgapur Steel Plant (SAIL), Keonjhar and their workmen, which was received by the Central Government on 6-12-1990.

ANNEXURE
INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR
Industrial Dispute Case No. 69 of 1987 (Central)
Bhubaneswar, the 28th November, 1990

BETWEEN

The Management of Bolani Ores Mines of Durgapur Steel Plant (SAIL), At/P.O. Bolani, Dist. Keonjhar
—First Party-Management.

AND

Their workmen represented through Barbil Workers Union, At/P.O. Bolani, Dist. Keonjhar—Second Party-workmen.

APPEARANCES :

Sri S. K. Mukherjee, Manager (Personnel), SAIL, Durgapur Steel Plant—for the First Party-Management.
Sri R. N. Latif, Secretary of the Union—for the Second Party-workmen.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred upon them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), and by their Order No. L-26011/17/87-D.III (B) dated 9-9-87 have referred for adjudication the following dispute by this Tribunal :—

“Whether the demand of the workmen of Bolani Ores Mines, Durgapur Steel Plant (SAIL), At/P.O. Bolani, Dist. Keonjhar that the Miners should be upgraded from unskilled to semi-skilled and be paid wages in N-2 scale of pay instead of N-1 scale of pay is justified? If so, to what relief are the workmen entitled?”

2. The case of the second party-workmen, who are the Miners of SAIL, Durgapur Steel Plant, Bolani Ores Mines, represented through the Secretary of the Barbil Workers Union is that in Bolani Ores Mines, which is a captive mines, for extraction of iron ore two processes are used—(i) machine mining and (ii) hand mining. In machine mining section workers are placed in categories N-1 to N-9. N-1 category is meant for unskilled workers N-2 for semi-skilled workers, N-3 for skilled workers and N-4 and onwards for highly skilled and supervisory categories of workers. In the hand mining section the hand miners were paid wages at piece rate in N-1 scale as specified in the Joint Consultative Committee

Agreement. The Government of India issued a notification effective from 12-2-85 designating the miners as semi-skilled workers with effect from the said date. Since after publication of the said notification in the official gazette, the Union demanded that the miners should be redesignated and recategorised as semi-skilled and must be paid wages in N-2 scale. Since this demand was not acceded to, the present dispute was raised and was ultimately referred for adjudication.

3. The First Party, namely, the Management of SAIL-Jagapur Steel Plant-Bolani Ores Mines filed written statement stating that the hand miners of Bolani Ores Mines are getting wages more than the minimum wages earned by the semi-skilled workers in N-2 grade in accordance with the Government of India notification dated 12-2-85 but the Union raised the dispute on account of ignorance about the rates of wages allowed to the hand miners in the said mines. It is also stated that if what has been claimed by the Union would be granted then the hand miners would start earning wages less than what they are earning at present. In the written statement of the First Party, the nature of work done by the hand miners and the manner in which their wages are computed have been described and it has been categorically stated that the hand miners are not treated as unskilled category coming within N-1 Grade. On the other hand, they are treated as a separate category having special wage rate which is better when compared with the wage rate of unskilled, semi-skilled or even skilled categories of workers. A comparative chart showing the minimum wage of an unskilled worker, a semi-skilled worker and a skilled worker compared to the minimum wage earned by a hand miner is annexed to the written statement in annexure-II and the average monthly earning of the hand miners during the year 1987 is also annexed to the written statement as annexure-III.

A rejoinder was filed to this written statement by the second party stating that the dispute between the parties relates to the question as to whether after the Government of India issued the notification directing that the Miners should be placed in semi-skilled category, the hand miners engaged in Bolani Ores Mines are to be brought under the semi-skilled category under N-2 scale.

4. On these pleadings, the following questions arise for consideration :—

- (1) If the workmen engaged in mining operation are categorised as unskilled, semi-skilled etc. or they are treated separately as miners for the purpose of the wages to which they are entitled ?
- (2) If the demand of the workmen of Bolani Ores Mines for upgradation of the unskilled miners to semi-skilled is justified ?
- (3) If such workmen are entitled to wages in N-2 scale of pay instead of N-1 scale of pay ?
- (4) To what relief, if any, the second party-workmen are entitled ?

5. The Deputy Chief Personnel Manager of Bolani Ores Mines, who was examined in this proceeding as MW-1, stated during his evidence that in Bolani Ores Mines for the industrial workmen, scales of wages from N-1 to N-9 have been provided. The unskilled workmen are initially appointed in N-1 scale and if they are not otherwise promoted, after serving for ten years they are given the next higher N-2 scale. N-2 scale, according to him, covers the semi-skilled workers. Promotion from one scale to a higher scale is given in consideration of suitability of a worker for a higher post.

On behalf of the workmen, the Secretary of the Barbil workers Union was examined who stated that the wages and other service conditions of the employees of Bolani Ores Mines are governed by agreements entered between the SAIL Management and different unions at National level. The last agreement on the above matter as stated by him was signed on 25-5-1983 and pursuant to that an agreement was signed between the Management of Bolani

Ores Mines and the Bolani Workers Union on 26-7-1983 relating to the wages and service conditions of the employees of the said mines (Ext. 1). He also stated that as per the National Joint Consultative Committee Agreement (Ext. 2), there are 9 grade scales. While N-1 grade covers the unskilled workers, N-2 covers semi-skilled and N-3 the skilled. N-4 and above grades cover highly skilled and supervisory category of workers. According to the Secretary of the Union, in a bi-partite agreement dated 20-7-83 (Ext. 1) the minimum wage for the lowest paid employees was fixed at Rs. 781.90 paise. Piece rate, daily rate wages for miners were also fixed therein. He stated referring to Ext. 3 and Ext. 4 that a miner has been placed under semi-skilled category by the Government of India and the Government of India directed that they should be paid wages as workers belonging to semi-skilled category with effect from 12-2-85. He referred to Ext. 4 which is a copy of a letter issued by the Labour Enforcement Officer (Central), Barbil regarding revision of rates minimum wages in various schedule employments in central sphere from 12-2-85. It is stated in paragraph 3 of the said letter that a miner has been placed in semi-skilled category and his wages has been fixed at Rs. 13.75 paise per day. On the basis of the aforesaid document, the Secretary of the Union stated that the Miners employed in Bolani Ores Mines should thus, be categorised as semi-skilled workers and they should be paid their wages accordingly.

6. As is revealed by the evidence adduced in this proceeding by both parties and as submitted in course of argument advanced in this proceeding, it appears clear that the Management agree that all the miners engaged in Bolani Ores Mines were made semi-skilled and accordingly they are being paid wages at the rate which is higher than the rate of wages admissible to N-4 category of workers. The demand of the workmen has been to make the miners semi-skilled and for fixation of their wages on the basis of the scale of pay admissible to the workmen in N-2 scale. In view of the evidence adduced in this proceeding that the Miners are paid wages at rates even more than the rates of wages admissible to N-4 category of workmen, there can be no objection, to allow wages to the miners in N-2 scale which is much below than the N-4 scale. Such fixation of wages should, however, be made on the very same formula and conditions under which the Miners were being paid wages while they were in the unskilled category and were in the N-1 scale.

7. In the circumstance, as I find, the controversy between the parties has become academic, in view of the submissions made on behalf of the Management that the Miners have been brought under the semi-skilled category and are being paid wages at much higher rate than the rate of wages in N-2 scale. The demand of the workmen for upgradation from unskilled to semi-skilled and for payment of wages in N-2 scale instead of N-1 scale thus, appears justified and they are entitled to fixation of wages in the appropriate scale as semi-skilled category of workers.

The reference is answered accordingly.

S. K. MISRA, Presiding Officer
[No. L-26011/17/87-D.III (B)]

नई दिल्ली 12 दिसम्बर, 1990

का. धा. 27.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार किरियुह आयरन और स्टील के प्रबन्धन के सम्बन्ध निम्नलिखित और उनके कर्मचारियों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-12-90 को प्राप्त हुआ था।

New Delhi, the 12th December, 1990

S.O. 27.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government

Industrial Tribunal, No. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kiriburu Iron Ore Mine, and their workmen, which was received by the Central Government on 11-12-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 108 of 1988

PARTIES :

Employers in relation to the management of Kiriburu Iron Ore Mine.

AND

Their Workmen.

APPEARANCES :

For the Employers—Shri N. Singh, Asstt. Chief Law Officer.

For the Workmen—Shri G. C. Sharma, Concerned workman. (At the time of final hearing : None).

STATE : Bihar

INDUSTRY : Iron Ore

Dated, the 29th November, 1990

AWARD

By Order No. L-26012/14/86-D.III (B)/D.IV(B), dated the 16th February, 1988, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the Management of Kiriburu Iron Ore Mine in treating the period of absence from 17-2-67 to 3-7-70 of Sri G. C. Sharma, now Assistant Grade II as leave without wages, is justified? If not, to what relief the workman concerned is entitled?”

2. The case of the employers in relation to management of Kiriburu Iron Ore Mine, Steel Authority of India Ltd., Bokaro Steel Plant, as disclosed in its written statement-cum-rejoinder, is as follows :

The present reference is not maintainable. Kiriburu Iron Ore Mine is now a captive mine of Bokaro Steel Plant, a unit of Steel Authority of India Ltd. which is a Government company registered under the Companies Act, 1956 since 1-5-78 when the Public Sector Iron and Steel (Restructuring and Miscellaneous Provision) Act, 1978 came into force. Since 1-5-78 Kiriburu Iron Ore Mine is being controlled and administered by the management of Bokaro Steel Plant. G. C. Sharma, the concerned workman was appointed as Lower Division Clerk in 1967 as an employee of erstwhile National Mineral Development Corporation Limited. Subsequently, he became the employee of Kiriburu Iron Ore Mine as the said mine was later transferred to the said company. The concerned workman proceeded on leave for 24 days commencing from 18-11-66 to 11-12-66. He was due to report for duty on 12-12-66. But he remained absent unauthorisedly much beyond the period of leave granted to him. In the circumstances his services were terminated with effect from 17-2-67 by Office Order dated 17-2-67. Subsequently, he made a representation on 23-6-69 to the Chairman of erstwhile N.M.D.C. Ltd. at New Delhi for his reinstatement. He launched 'Dharna' sometime in 1970 before the Head Office at New Delhi. The management was compelled to re-appoint him as Lower Division Clerk by appoint-

ment letter dated 3/4-4-70 without an benefit of part service. He resumed his duty on 4-7-70 unconditionally. After having not re-appointment he made another representation to the Chairman of the erstwhile N.M.D.C. by application dated 31-8-70 for his re-instatement which was followed by another representation dated 9-9-70 to the General Manager, Kiriburu Iron Ore Mine. The General Manager received advice from the Head Office by letter dated 17-12-70 to take suitable decision on the representation of the concerned workman on humanitarian ground. The matter was re-examined and decision was taken on humanitarian ground to re-instate the concerned workman in service with effect from 17-2-67 and simultaneously he was also promoted to the post of Upper Division Clerk with effect from 25-3-69 by office order dated 1/12-1-71. He was reinstated in service for the purpose of continuity of his service and it was made clear that he would not be entitled to claim back wages. Other Upper Division Clerks filed representations on 13-1-71 against the promotion of the concerned workman. After thorough enquiry an Office Order was passed on 20-5-72 confirming reinstatement of the concerned workman and his absence for the period from duty from 17-2-67 to 3-7-70 was treated as absence on leave without wages.

3. The case of the concerned workman, as disclosed in his written statement submitted on behalf of the sponsoring union, Jharkhand Mazdoor Singh, briefly stated, is as follows :

The concerned workman was working in the post of Lower Division Clerk during the year 1967 in National Mineral Development Corporation, a Government of India undertaking. He was employed in Kiriburu Iron Ore Mine of the said company which was later transferred to the Steel Authority of India Limited. While he was on leave his services were terminated with effect from 17-2-67 under Order 56 of the Certified Standing Orders and in defiance of sub order No. 4 of Order No. 56. No charge was framed against him nor was any enquiry held. He filed an appeal against the order of termination of service. On appeal however, he was reinstated with effect from 17-12-67. The order of reinstatement was kept in abeyance. However, that was vacated by order dated 20-5-72 treating the period of enforced idleness caused by the order of termination of service from 17-2-67 to 3-7-70 as leave without wages. The order was passed with ulterior motive to punish him for his trade union activities and in violation of N.M.D.C. Employees' (Conduct and Appeal) Rules.

4. In rejoinder to the written statement of the concerned workman, the management has stated that there was no rule in vogue known as N.M.D.C. Employees' Conduct and Appeal Rules. The N.M.D.C. Ltd. framed N.M.D.C. Employees' (Conduct) Rules and N.M.D.C. Employees' (Control and Appeal) Rules. But these rules have got no application in the case of the concerned workman since he voluntarily abandoned his service.

5. In rejoinder to the written statement of the management, the sponsoring union has stated that he made representation against termination of the service to the Head Office, but after failing to get any response a notice was served that he would launch 'Dharna' if he was not re-instated. He has reiterated that the management cannot escape the service rules framed for the employees of the erstwhile N.M.D.C.

6. The management examined MW-1 Mahboob Alam, now posted as Deputy Manager (Personnel), Kiriburu Iron Ore Mine and laid in evidence a number of documents which have been marked Exts. M-1 to M-7.

7. Admittedly, G. C. Sharma, the concerned workman, was appointed as Lower Division Clerk in 1967 as an employee of erstwhile N.M.D.C. a Government of India Under-

taking. He was employed in Kiriburu Iron Ore Mine of the aforesaid company situated in the district of Singhbhum (Bihar). There is no dispute that Kiriburu Iron Ore Mine is now a captive mine of Bokaro Steel Plant, a unit of Steel Authority of India Ltd. which is a Government Company registered under the Company's Act, 1956 since 1-5-78 when the Public Sector Iron and Steel (Restructuring and Miscellaneous Provisions) Act, 1978 came into force.

8. Admittedly, the concerned workman proceeded on leave for 24 days with effect from 18-11-66 to 11-12-66. The management has produced his application for leave dated 14-11-66 (Ext. M-1). There is no dispute that the concerned workman was granted leave for this period. Undisputedly, the concerned workman did not report for duty after expiry of his leave on 12-12-66 and his services were terminated with effect from 17-2-67. The Office Order dated 17-2-67 (Ext. M-2) bears out this position. MW-1 Mahboob Alam has stated that the concerned workman made representation by letter dated 23-6-69 to the Chairman of N.M.D.C. for his reinstatement and he also launched 'Dharna' in 1970 before the Head Office at New Delhi and that the management was compelled to reappoint him as Lower Division Clerk by appointment letter dated 3/4-7-70 without any benefit of past service. The letter of appointment dated 3/4-4-70 (Ext. M-3) bears out this position MW-1 Mahboob Alam has stated that Sri Sharma accepted his appointment with the condition imposed thereon and joined the service on 4-7-70. The joining report of the concerned workman dated 4-7-70 (Ext. M-5) bears out this position. It appears from the pleading of the management as well as the testimony of MW-1 Mahboob Alam that the concerned workman subsequently submitted representation to the Chairman and to the General Manager for re-instatement. These representations have been marked Exts. M-6 and M-6/1. Consequently upon these representations decision was taken by the management to re-instate him in service with effect from 17-12-67 on humanitarian ground. This has been testified by MW-1 Mahboob Alam. But the question of back wages of the concerned workman from 17-2-67 to 3-7-70 was not settled. By Office Order dated 20-5-72 (Ext. M-7), the management passed order that his period of absence from duty from 17-2-67 to 3-7-70 would be treated as leave without wages.

9. The Office Order was passed way back in May, 1972. The concerned workman did not agitate over the issue for so long. The sponsoring union has not produced any documentary or oral evidence in support of its claim that the concerned workman, although absented from duty during the period is entitled to get full wages for the period he remained absent. There is nothing on record to indicate that any leave was due to the concerned workman. Considering all these facts and circumstances, I am not inclined to hold that the concerned workman is entitled to wages, full or partial during the period of his absence from duty with effect from 17-2-67 to 3-7-70.

10. Accordingly the following award is rendered—

The action of the management of Kiriburu Iron Ore Mine in treating the period of absence from 17-2-67 to 3-7-70 of Sri G. C. Sharma, now Assistant Gr. II as leave without wages, is justified.

In the circumstances of the case, I award no cost.

S. K. MITRA, Presiding Officer

[No. L-26012/14/86-D.III (B)/D.IV (B)]

नई दिल्ली, 13 दिसम्बर, 1990

का. प्र. 23—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 14 के अनुसरण में, केन्द्रीय सरकार मैसर्स भिलाई स्टील प्लांट के प्रबंधन के संबंध में निम्नलिखित और उनके कर्मचारियों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर (म. प्र.) के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-90 को प्राप्त हुआ था।

New Delhi, the 13th December, 1990

S.O. 28.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur (M.P.) as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Bhilai Steel Plant and their workmen, which was received by the Central Government on 12-12-1990.

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(31)/1987

PARTIES :

Employers in relation to the management of Rajhara Iron Ore Mines of Bhilai Steel Plant, Bhilai, District Durg (M.P.) and their workman, Shri K. R. G. Pillai, Comptist, Rajhara Mines, represented through the Samyukta Khadan Mazdoor Sangh (AITUC), P.O. Dallrajhara, District Durg (M.P.).

APPEARANCES :

For Workman—Shri D. K. Rao.

For Management—Shri D. C. Henri, Asstt. Chief Law Officer.

INDUSTRY : Iron Ore Mining DISTRICT : Durg (M.P.)

AWARD

Dated : December 3rd, 1990

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-26012/28/84-D.III(B) Dated 31st March/2nd April, 1987 for adjudication of the following dispute :—

"Whether the punishment order No. GM/Fin/Admn/82/954 dated 31-3-1982 awarded to Shri K.R.G. Pillai Comptist Rajhara Mines by the Management of M/s. Bhilai Steel Plant is a multiple punishment and is illegal? If so, to what relief the employee concerned is entitled?"

2. In the instant, case the workman has challenged the punishment on the ground that they are multiple punishment and they are, therefore, illegal. The misconduct of the workman is as under :—

(1) Assaulting & intimidating an officer of the company during duty hours within office premises u/s 5(xiii) of Discipline and Appeal Rules.

(2) Disorderly and indecent behaviour with an officer u/s 5(iv) of Discipline & Appeal Rules.

The punishment awarded is as follows :—

"Further to the charge-sheet issued to Shri K.R.C. Pillai, Sr. Comptist, P. No. 44762 vide memorandum No. GM/Fin. Admn./Dis./34/81/2334 dated 10-9-81 and on receipt of his explanation dt. 17-9-1981, enquiry was held into the charges levelled against him.

2. After careful going through the records of enquiry, the connected papers, documents and findings of the Enquiry Officer, it is found that the charges of assaulting and intimidating an officer of the Company during duty hours within office premises and disorderly and indecent behaviour with an officer/superior have been sufficiently proved.

3. Shri K. R. C. Pillai is therefore, reduced to the post of Comptist (M-1) on the pay of Rs. 684/- P.M. in the scale of Rs. 440-20-580-26-814 with effect from the date of issue of this order.

4. Further, he is debarred for future promotion for a period of 5 years.

5. His period of suspension from 7-9-81 to the date of issue of this order will be treated as dies non. However, subsistence allowance already paid will not be recovered."

3. According to the Union the punishment awarded to the workman is multiple both in effect and in character for the following reasons :—

- The workman was in M-2 grade but was reduced to M-1.
- The workman was Sr. Comptist; but was demoted to Comptist;
- Basic pay of the workman was Rs. 868/- but was reduced to Rs. 684/- per month;
- The pay scale of the workman was Rs. 540-26-748-30-988 but was reduced to a pay scale of Rs. 440-20-580-26-814/-;
- The workman was debarred for further promotion for a period of 5 years.

It is severe, contrary to the rules and is liable to be set aside.

4. On the other hand, according to the management, it is one composite punishment. The workman concerned was liable to dismissal for his alleged misconduct but taking a lenient view the management has given the punishment as given above. Punishment is in accordance with rules. That apart, the workman has already been terminated from service vide order dated 8-5-1986. The reference has become infructuous and is liable to be rejected on merits as also on the ground that it has become infructuous.

5. Reference was the issue in the case.

6. On merits having perused the misconduct as also the punishment awarded it cannot be said that the punishment awarded to the workman concerned was excessive or disproportionate or it was multiple in nature because looking to the misconduct he deserves dismissal. Hence no interference is called for on merits. That apart, on 23-8-1988 an application was moved on behalf of the Union that the workman has already been terminated from service on different grounds and his whereabouts are not known and accordingly the Union withdrew his representation on behalf of the workman. Thus, the reference has become infructuous as well. It is accordingly disposed of. Parties will bear their own costs.

V. N. SHUKLA, Presiding Officer.
[No. L-26012/28/84-D.III(B)]

का. प्रा. 29.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केंद्रीय सरकार श्री मकसूद अहमद पुत्र श्री लुकमान भाई सुकेत (रामगंजमण्डी), जिला कोटा के प्रबंधन के संबंध निवीजकों और उनके कर्मचारियों के बीच अनुबंध में निषिद्ध औद्योगिक विवाद में औद्योगिक अधिकरण कोटा, राजस्थान के पंचपट को प्रकाशित करता है, जो केन्द्रीय सरकार को 10-12-90 को प्राप्त हुआ था।

S.O. 29.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Kota, Rajasthan as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Shri Maksood Ahmad S/o Shri Lukman Bhai, Suket (Ramganjmandi), Distt. Kota, and their workmen, which was received by the Central Government on 10-12-90.

परिशिष्ट

व्यापक औद्योगिक न्यायाधिकरण कोटा/राजस्थान

निर्देश प्रकरण क्रमांक: ओ. ग्या. रे. (कन्द्रीय)-24/1989 दिनांक स्थापित: 18/12/89

प्रसंग: भारत सरकार, श्रम मंत्रालय के आदेश क्रमांक एल-29012/39/89 (आई.घार. विधि) दिनांक 15-12-89

औद्योगिक विवाद अधिनियम, 1947

मध्य

हनुमान प्रसाद गुप्ता द्वारा हिन्दू मजदूर सभा, बंगाली कालोनी, छावनी, कोटा।

—प्राचीन अधिक

एवं

मकसूद अहमद पुत्र श्री लुकमान भाई, सुकेत (रामगंजमण्डी) जिला कोटा।

—प्रतिपक्षी नियोजक

उपस्थित

श्री जगदीश प्रसाद,
घार.एच.जे.एस.

प्राचीन अधिक की ओर से प्रतिनिधि: श्री एन. के. तिवारी
प्रतिपक्षी नियोजक की ओर से: कोई उपस्थित नहीं

अधिनियम दिनांक: 24 नवम्बर, 1990

अधिनियम:

भारत सरकार, श्रम मंत्रालय द्वारा निम्न निर्देश औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम, 1947 से सम्बोधित किया जाएगा) की धारा 10 (1) (ब) एवं उपधारा (2-क) के अन्तर्गत इस न्यायाधिकरण की अधिनियमाधीन सम्प्रेषित किया गया है:—

"Whether the action of the management of Shri Maksood Ahmad S/o Shri Lukman Bhai, Limestone Mine Owners, Zulmi in terminating the services of Shri Hanuman Prasad Gupta S/o Shri Kanhiyalal Gupta w.o.f. 21-11-88 is justified? If not, what relief is the workmen entitled to?"

2. निर्देश प्राप्त होने पर रजिस्टर किया गया व पक्षकारों को नोटिस जारी किये गये। प्राचीन अधिक हनुमान प्रसाद गुप्ता ने क्लेम स्टेटमेंट प्रस्तुत किया जिसमें उल्लेख किया कि मकसूद अहमद प्रभिनका नियोजक के द्वारा प्राचीन अधिक को 1-11-85 के कर्क के पद पर नियोजित किया गया था। प्रतिपक्षी नियोजक ने 21-11-88 से बिना कोई कारण बताए व बिना पूर्व सूचना के अचानक नौकरी से निकाल दिया। प्राचीन अधिक ने नौकरी से निकालने के बाद नौकरी हेतु काफी प्रयास किया परन्तु प्रतिपक्षी टालता रहा, अन्त में प्राचीन ने प्रतिपक्षी को 'रजिस्टर्ड ए.डी.' द्वारा प्रार्थना-पत्र प्रस्तुत कर तीन दिन में कार्य पर लेने व नौकरी से बाहर रखने के समय का बेटन भुगतान करने की मांग की। प्रतिपक्षी नियोजक को उक्त पत्र प्राप्त हो गया परन्तु उसका कोई उत्तर नहीं दिया गया और न सेवा में लिया। प्राचीन अधिक ने प्रतिपक्षी के यहाँ 1-11-85 से 21-11-88 तक निरंतर कार्य किया व इस अवधि में 240 दिन से अधिक समय तक कार्य किया। प्रतिपक्षी नियोजक ने प्राचीन अधिक को नौकरी से निकालने के पूर्व अधिनियम, 1947 की धारा 25-एक के प्रावधानों के अनुसार एक माह का नोटिस अवकाश नोटिस बेटन व छठनी का भुगतान नहीं दिया और न प्रस्तावित किया। वरिष्ठता-पूरी का प्रकाशन भी नहीं किया व इसके अतिरिक्त प्राचीन अधिक की सेवा से वृषक किये जाने के समय उससे कनिष्ठ व्यक्ति प्रभुल वहीव नियोजन में गीजव था व इस प्रकार "लास्ट कम फस्ट गो" के सिद्धांत को अवहेलना करके प्राचीन अधिक को सेवा से वृषक किया गया जो औद्योगिक विवाद अधिनियम, 1947 की धारा 25-जी के प्रावधानों की अवहेलना है। प्राचीन अधिक को नौकरी से निकालने के बाद कई नये अधिक जिनके नाम अलीमउद्दीन व भीमसिंह धावि हैं, को नियोजित कर लिया परन्तु प्राचीन को नियोजन हेतु नहीं बुलाया जो अधिनियम की धारा 25-एच के प्रावधान का उल्लंघन है। प्रार्थना को गयी कि प्राचीन अधिक को प्रतिपक्षी नियोजक के यहाँ पिछले सम्पूर्ण बेटन व समस्त लाभों सहित सेवा में बहाल किया जावे।

3. प्रतिपक्षी नियोजक बाबजूद नोटिस तामील दि. 28-8-90 को उपस्थित नहीं आया। तत्पश्चात् 6-11-90 व मांज. 24-11-90 को भी उपस्थित नहीं हुआ। दि. 6-11-90 को ही प्रतिपक्षी नियोजक के विरुद्ध उपस्थित नहीं होने से एक पक्षीय कार्यवाही किये जाने का आदेश दिया गया।

4. एक पक्षीय साक्ष्य में प्राचीन अधिक ने अपना शपथ-पत्र प्रस्तुत किया व प्रलेखी साक्ष्य में झुटी पर लिए जाने के प्रार्थना-पत्र की प्रति-

लिपि प्रदर्शक डब्बू. 1. प्रतिलिपि प्राप्ति रसीद प्रदर्शक डब्बू. 2. प्रार्थना-पत्र प्रार्थी सहायक श्रमायुक्त (केन्द्रीय), कोटा प्रदर्शक डब्बू. 3 व असफल वार्ता प्रतिवेदन प्रदर्शक डब्बू. 4 प्रस्तुत किये।

5. दहम सुनी गयी व पत्रावली का ध्यातार्थक प्रचलोकन किया गया।

6. प्रार्थी श्रमिक ने अपने शपथ-पत्र में कहा है कि प्रतिपक्षी ने उसे 1-11-85 से कलक के पत्र पर नियोजित किया था। दि. 21-11-88 से बिना कोई कारण बताए व बिना किसी पूर्व सूचना के उसे सेवा से पृथक कर दिया। उसने प्रतिपक्षी के यहाँ 1-11-85 से 20-11-88 तक निरन्तर कार्य किया व उक्त अवधि में 240 दिन से अधिक समय तक कार्य किया। सेवा से पृथक किये जाने के पश्चात उसने प्रतिपक्षी को रजिस्टर्ड ए.डी. से श्रुती पर लेने के बावत प्रार्थना-पत्र भिजवाया जिसकी प्रतिलिपि प्रदर्शक डब्बू. 1 व प्राप्ति रसीद प्रदर्शक डब्बू. 2 है जिस पर ए से बी हस्ताक्षर प्रतिपक्षी लुक्मान के हैं। प्रतिपक्षी ने प्रार्थना-पत्र या कोई उत्तर नहीं दिया। उसने 26-7-89 को शिकायत-पत्र सहायक श्रमायुक्त (केन्द्रीय) भारत सरकार, श्रम मंत्रालय, कोटा के समक्ष प्रस्तुत की जिसकी प्रति प्रदर्शक डब्बू. 3 है। समझौता न होने के कारण समझौते वार्ता का असफल प्रतिवेदन प्रेषित किया गया जोकि प्रदर्शक डब्बू. 4 है। उसने यहाँ भी कहा है कि प्रतिपक्षी ने उसे सेवा से पृथक किये जाने के समय कोई नोटिस भ्रष्टा नोटिस बेलन व छंटनी का मुआवजा नहीं दिया और न प्रस्तावित किया। उसे सेवा से पृथक किये जाने के पूर्व प्रतिपक्षी ने कोई बरिष्ठता-सूची का प्रकाशन भी नहीं किया व उक्त सेवा से हटाने के सन उसने कनिष्ठ कलक श्रमुक्त वहीद प्रतिपक्षी के नियोजन में था।

7. प्रार्थी श्रमिक को उक्त कथन का खण्डन प्रतिपक्षी नियोजक की ओर से नहीं किया गया, अतः प्रार्थी श्रमिक के उक्त स्वन पर विश्वास न किये जाने का कोई कारण प्रतीत नहीं होता। प्रार्थी श्रमिक के कथन से यह प्रमाणित है कि उसने प्रतिपक्षी नियोजक के यहाँ 1-11-85 से 20-11-88 तक निरन्तर कार्य किया है। प्रार्थी श्रमिक को 21-11-88 को सेवा से पृथक कार्य किया है। इस प्रकार प्रार्थी श्रमिक ने इस लिखित से पूर्व एक वर्ष में 240 दिन से अधिक समय तक कार्य किया है। सेवा से हटाने के पूर्व उसे न तो नोटिस दिया गया, न नोटिस बेलन दिया गया और न छंटनी का मुआवजा दिया गया न बरिष्ठता-सूची का प्रकाशन किया गया और नौकरी से हटाने के समय उससे कनिष्ठ श्रमिक प्रतिपक्षी के यहाँ नियोजन में था। इस प्रकार प्रतिपक्षी नियोजक द्वारा अधिनियम, 1947 की धारा 25-एफ व जी का उल्लंघन करके प्रार्थी श्रमिक को सेवा से पृथक करना प्रमाणित है। परिणामतः प्रतिपक्षी नियोजक के द्वारा प्रार्थी श्रमिक को दिनांक 21-11-88 को सेवा से पृथक किया जाना वैध न होने से उचित नहीं है व वह प्रतिपक्षी नियोजक के यहाँ पुनः सेवा में पिछली सम्पूर्ण मजदूरी सहित जाने का अधिकारी है।

8. उक्त सम्पूर्ण विवेचन के आधार पर भारत सरकार, श्रम मंत्रालय द्वारा सम्प्रेषित निर्देश का उत्तर इस प्रकार दिया जाता है कि प्रार्थी श्रमिक हनुमान प्रसाद गुप्ता को प्रतिपक्षी नियोजक मकसुब अहमद पुत्र लुक्मान भार्ग, लार्डम स्टोन मार्टिन ऑनर, जुल्मी द्वारा 21-11-88 से सेवा से पृथक करना उचित नहीं है, फलस्वरूप प्रार्थी श्रमिक पुनः सेवा में पिछली सम्पूर्ण मजदूरी सहित प्रतिपक्षी नियोजक के यहाँ जाने का अधिकारी है।

इस अधिनियम को भारत सरकार, श्रम मंत्रालय को निवेदनुसार प्रकाशनार्थ भिजवाया जावे।

जगदीश प्रसाद, स्यायाक्षी

[सं. एन 29012/39/89-आई आर (विधि)]

के.बी.बी. उन्नी, हेल्थ अधिकारी

नई दिल्ली, 12 दिसम्बर, 1990

का.श्री. 30— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टाप्सी काशरी प्राक ई.सी.एन के प्रबंधन के संबन्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रमाणित करती है, जो केन्द्रीय सरकार को 11-12-90 को प्राप्त हुआ था।

New Delhi, the 12th December, 1990

S.O. 30.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Tapsi Colliery of E.C. Ltd., and their workmen, which was received by the Central Government on the 11-12-1990.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL ASANSOL

Reference No. 33/89

PARTIES:

Employers in relation to the management of Tapsi Colliery of E.C. Ltd.

AND

Their Workmen

APPEARANCES:

For the Employers — Shri P. K. Das, Advocate.

For the Workmen — Shri Manoj Mukherjee, Advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated, the 28th November, 1990

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(11)/89-IR(C-II) dated 18th July, 1989.

SCHEDULE

"Whether the action of the Management of Tapsi Colliery of E.C. Ltd., in denying 'service linked increment' to S/Sri Ramabatar Prasad, Banaswari Shwal, Kebal Paswan, Durggi Bhulya, Chandan Mahato, Arjun Shaw and Krishna Paswan, Underground Trammers, is justified? If not, to what relief is the workmen concerned are entitled?"

2. During the pendency of this case, today (28-11-90) both the parties filed a joint petition of compromise duly signed by them with a prayer to make an award in terms of the settlement.

3. I have gone through the terms of the settlement. I find them quite fair and reasonable. Accordingly in terms of the settlement the award is passed.

4. The terms of settlement shall form part of the award.

Enc: Settlement.

N. K. SAHA, Presiding Officer
[No. L-22012/11/89-IR (C. II)]

BEFORE THE CENTRAL GOVERNMENT —
INDUSTRIAL CUM LABOUR COURT,
222, SRI LIPALLY, ASANSOL.

Date : —————

Reference No. 33 of 1989

PARTIES :

Employers in relation to the Management of Toposi Colliery under M/s. Eastern Coalfields Limited

AND

Their Workmen represented by Colliery Mazdoor Union (I.N.T.U.C.), Ukhra Cinema Road, P.O. Ukhra, District—Burdwan.

The parties above named beg to state as follows:—

That the above dispute have been amicably settled between the parties on the Terms & Conditions.

That the Management hereby admit the claim of the Union regarding granting of Service-linked Increment to Sarbasree, Ramabatar Prasad, Banawati Shaw, Kewal Paswan, Drogi Bhuyan, Chandan Mahato, Arjun Shaw, and Krishna Paswan Under ground Trammers of Toposi Colliery subject to the condition that, in case any claim as records are available, the Management shall be at liberty to deduct the amount from the said workmen.

That in view of such settlement an award is required to be passed by the Hon'ble Tribunal.

It is therefore prayed that the Hon'ble Tribunal shall be pleased to pass an award in terms of the settlement as stated above.

AND

For this act of kindness your Petitioner as in duty bound shall ever pray.

Sd/-

Sri Chandria Shekhar Banerjee,
General Secretary, Colliery —
Mazdoor Union (I.N.T.U.C.),
Ukhra, Cinema Road, Burdwan.

Sd/- Illegible

For & on behalf of the
Management of Toposi Colliery,
Kunustoria Area, E.C.L.

Part of Award

नई दिल्ली, 13 दिसम्बर 1990

का.सा. 31— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) धारा 17 के अनुसरण में, केन्द्रीय सरकार पाया खेड़ा ऐक्टिंग आफ इन्डियन नैमिटेड, पोस्ट पायाखेड़ा (म.प्र.) के प्रबंधन के संबंध निरीक्षण और उनके कर्मचारियों के बीच, अन्तर्गत में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकार, जबलपुर के पक्षों को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-90 को प्राप्त हुआ था।

New Delhi, the 13th December, 1990

S.O. 31.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Pathekhhera Area of W.C. Ltd., Post, Pathekhhera (M.P.) and their workmen, which was received by the Central Government on the 13-12-1990.

3399 GI/90—5

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R) (125)/1987

PARTIES :

Employers in relation to the management of Pathekhhera Area of W.C. Ltd., P.O. Pathakhhera, District Betul (M.P.) and their eight workmen represented through the Khadan Mazdoor Sangh (AITUC), Pathakhhera, District Betul (M.P.).

APPEARANCES :

For workmen .. Shri Arvind Srivastava, Advocate and
Shri R. C. Srivastava, Advocate.

For Management—Shri R. Menon, Advocate.

INDUSTRY : Coal Mining .. DISTRICT : Betul (M.P.).

AWARD

Dated : November 21st, 1990

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-21011/34/86-D.II(B) Dated 8-7-1987, for adjudication of the following dispute :—

“Whether the action of the management of Pathakhhera Area of Western Coalfields Limited, Pathakhhera, Distt. Betul in stopping S/Shri Beni S/o Shri Kaluram (2) Gulab S/o Shaphilal, (3) Ramkrishan S/o Puna, (4) Ramesh S/o Shyam (5) Lakhanlal S/o Mohanlal, (6) Ramharak S/o Sitaram, (7) Kailash S/o Nandu and (8) Tanty S/o Shvama workers working on Saw Machine at their Pathakhhera No. 1 and Pathakhhera No. II Mines from work with effect from 28-1-1986 and not paying them wages as per N.C.W.A II and III is legally justified? If not, to what relief these workmen are entitled and from what date?”.

2 Undisputed facts of the case are that the workmen concerned were working under the Contractor and they were stopped from work from 28-1-1986. It is also not disputed that eight persons working on the Saw Machine were absorbed by the management.

3. The case of the workmen in brief is that they were employed in Saw Mill at PK-I Mine and at PK-II Mine installed by the management of Pathakhhera Area of W.C. Limited. The work is perennial in nature and incidental to the mine operation and the said Saw Mills were situated within the premises of the respective mine. The workmen had put in more than six years of service when they were stopped from working on 28-1-1986.

4. The management with a mala fide intention and to deprive the workmen concerned of their legal rights equivalent to permanent workmen introduced dubious methods by employing the so called contractor for the purpose of giving wages to the workmen through the so called contractor. The workmen demanded the benefits in wages and the regularity in the employment, the matter was referred to Regional Labour Commissioner and an Agreement was arrived at. That apart, the Coal Wage Agreement III prohibits employment through contractor to engage a labour in the job of permanent and perennial nature.

In the light of the settlement arrived at between the Union and the management on 17-1-1986 the management while misconstruing the said settlement employed only eight workmen and left out the remaining workmen. There were no clear vacancies in the Saw Mill and the management has filled in eight vacancies from the departmental employees. The management adopted pick and choose method in absorbing eight workers and leaving out the eight others. There was no surplus man power. Hence the workmen are entitled to be reinstated with full back wage and action of the manage-

ment in stopping them from work be declared illegal and any other relief which the Court deem fit be granted to the workmen concerned.

5. According to the management, the reference is factually incorrect. The management never stopped these workmen from working. There was no employer-employee relationship between the workmen concerned and the management. The workmen were never appointed to work in the mine nor were they appointed or engaged by the management. They were employed by the contractor. Contractor has not been made a party to the dispute. This prejudices the case of the management. The matter does not relate to the Central Government because the workers did not work in the mine. Reference can only be made by the State Government. The concerned Saw Mills are run through contractors.

6. Management further averred that the settlement arrived at on 17-1-1986 has been implemented and no dispute exists. After the agreement the contract system was abolished and therefore the workers of the contractor stood automatically terminated. However, taking a sympathetic attitude and looking to the vacancies existing at that time the management appointed eight persons who were employees of the contractors. The selection was done on the basis of the attendance and job output, seniority of the employees of previous year. Management could give employment only to eight persons as there were vacancies only for eight persons. However, after medical examination, when one of the person was found to be medically unfit the management gave appointment to another person who was working with the contractor on the basis of seniority and the job put in by the workers of the contractor. It is only as per vacancies that eight people out of 17 who were working with the contractor were given appointment. There was surplus man power in Pathakhara Area. Therefore, the management is not in a position to give employment to any other person. Hence the demand made is not justified. The work was not that of perennial nature or incidental to the mining operation. They were performing duties under the contractors who were independent and not connected with any mining activities of mining operation. The contract system was in existence even before coming into force of N.F.W.-III and was abolished sometime in the year 1986. That apart, there is no prohibition of contract system under the said N.E.W.-III. No discrimination was done. There is no violation of any provisions of the I.D. Act, much less Sec. 25F of the I.D. Act and the reference is liable to be rejected.

7. Reference was the issue in this case.

8. At the outset it must be pointed out that the reference has proceeded with the assumption that the workman concerned were stopped by the management from work with effect from 28-1-86 and were not paid wages as per N.C.W.A. II & III. Thus, the terms of reference clearly indicate that the workman concerned were the workmen of the management and obviously that was the reason that the contractor or the alleged contractor has not been made a party.

9. While dealing with this aspect of the case, we must look into the relevant provisions of law which have been enumerated in Sub-section (4) of Sec. 10 of the I.D. Act which run as follows :—

Section 10(4) of I.D. Act :—

"Where in an order referring an industrial dispute to a Labour Court, Tribunal or National Tribunal under this section or in a subsequent order, the appropriate Government has specified the points of dispute for adjudication, the Labour Court or the Tribunal or the National Tribunal, as the case may be, shall confine its adjudication to those points and matters incidental there." (underlined by me).

Thus according to the aforesaid provision the Tribunal while adjudicating upon the dispute shall confine its adjudication to the points referred and matters incidental thereto.

10. Making an order of reference under Sec. 10(1) is undoubtedly an administrative function of the appropriate Government based upon its own opinion with respect to the existence or apprehension of an industrial dispute and its subjective decision as to whether it would be expedient to make a reference or not. Though the earlier thinking was that such an order cannot at all be interfered with by the Courts, the recent trend of the judicial thinking is that though in a very limited field the order of reference is amenable to judicial review under certain circumstances (See 1970-II-LLJ 266 SC; AIR 1969 SC 707-715 (2) 1968-II-LLJ 834 SC; AIR 1967 SC 295(309) (3) AIR 1970 SC 564-644 para 233 (4) 1972-I-LLJ 657—From Malhotra on the Law of Industrial Disputes, Fourth Edition, Vol. 1, page 613).

11. From the above decisions no exhaustive and final criteria emerges as to on what ground an administrative order is amenable to judicial review. Nor any such exhaustive or final criteria is possible in growing branch of law like the administrative Law. Thus if the Government making the reference is not appropriate Government within the meaning of Sec. 2(a) of the Act, the reference shall not be a valid reference.

12. The adjective "industrial" in the definition of I.D. Act relates to the dispute in an industry as defined in Sec. 2(j) of the Act (Madras Gymkhana Club Employees Union Vs. Gymkhana Club 1967-II-LLJ 720 SC). In other words, besides the requirements of Sec. 2(k) unless the dispute is related to an industry as defined in Sec. 2(j) it will not be an industrial dispute. Therefore, if the reference is made of a dispute which relates to any activity which is not of industry, it will not be a valid reference. Corollary to this proposition is that the dispute should be in a live industry and not in a dead or closed industry as the definition of industrial dispute presupposes continuance of industry (Pipraich Sugar Mills Ltd. Vs. Pipraich Sugar Mills Mazdoor Union 1957-I-LLJ 235 SC-O.P. Malhotra's supra p. 610). Where a notification that a dispute relating to the retrenchment etc. of workman is referred to the Tribunal, a person who claims to be a worker and insists that his case should be decided by the Tribunal, he cannot take up the contention that the reference is not valid under Sec. 10 because it has not specified the names of the workman. That being so, the Tribunal is also entitled to decide that he is not the workman and refuse to pass any order when he approaches it (Sunder Lal Saxena Vs. Hindustan Commercial Bank Ltd. AIR 1953 All. p. 260—O. P. Malhotra supra p. 613-622).

13. The word 'incidental' is defined as referred to under Sec. 10(4) means, according to Webster's New World Dictionary :—

"Happening or likely to happen as a result of or in connection with something more important : being an incident; casual hence, secondary or minor, but usually associated."

In other words of Mitter J.—

"Something incidental to a dispute must, therefore, mean something happening as a result of or in connection with the dispute or associated with the dispute. The dispute is a fundamental thing while something incidental thereto is an adjunct to it. Something incidental, therefore, cannot cut at the root of the main thing to which it is an adjunct. A point is incidental to another point when the former necessarily depends upon the other. "Incidental" implies a subordinate and subsidiary thing related to some other main or principal thing requiring casual attention while considering the main thing. It is obvious, therefore, that the matters which require independent consideration or treatment and have their own importance, cannot be considered as "Incidental". The words "matters incidental thereto" should not be interpreted so as to give vague and indeterminate jurisdiction to the Tribunal

especially over independent matters. A matter which is independent in one context, may become subsidiary in another matter in a different context. It all depends now and under what circumstances it arises. In other words, the question whether the one adjudication matter is incidental to the adjudication of another depends on the facts of the case, the pleadings of the parties and the issues which properly arise for determination on the pleadings. The words 'incidental' there on in Section 10(4) do not have the same meaning as the words 'relevant to' occurring in Clauses (b), (c) and (d) of Sec 10(1). The matters covered by latter expression must be specially referred for adjudication while the matters covered by the former expression need not be specifically referred to as they can be adjudicated upon as a part of main dispute. For instance, on an industrial dispute being referred to it, the Tribunal has jurisdiction to determine whether on the facts placed before it an 'industrial dispute' within the meaning of Section 2(k) has really arisen or the concerned persons are workmen as defined in Sec 2(s) or a particular undertaking is an industry within the meaning of Sec 2(j) or such industry is a live industry or a close industry. Such questions can be validly examined and adjudicated upon by the Tribunal as matters incidental to the points or dispute specified in the order of reference. These matters have not only to be determined as matters incidental to the dispute but have necessarily to be determined as collateral or jurisdictional issues as the jurisdiction of the Tribunal depends upon such determination, or adjudication. (See O P Malhotra supra pages 685 & 686)

14 In view of the above discussions, it can be safely said that though the scope of the Tribunal is limited in regard to adjudication on the terms of reference and it cannot go beyond the terms of reference but at the same time the Tribunal can certainly look into the facts under the terms of reference to find out whether it has jurisdiction or not and as such it can certainly find out whether there is an industrial dispute or the dispute relates to an industry or reference is made by the appropriate Government or the dispute relates to the workmen etc.

15 The M P High Court in Misc Petition No 1958 of 77 *Rad Koyala Shramik Sabha Vs Western Coalfields Ltd* has also held that the Court cannot go behind the terms of reference. It runs as follows —

It is apparent from reading the said reference that it proceeded on the assumption that the persons mentioned in the Schedule had been employed as the workers by the respondents and the only question which was to be decided by the Tribunal was whether after the termination of their services they were entitled to be re-employed up to 2 H (25 H) of the Industrial Disputes Act.

In our opinion, the above said being the scope of the reference the Tribunal committed an error, by examining the question whether the persons mentioned in the Schedule had ever been employed as workmen by the respondents—employer. The said matter was beyond the scope of reference and the Tribunal committed an error of jurisdiction in proceeding to decide the said question.

16 That apart, in the instant case, the Contractor, Kishori Lal Sahu, himself has been examined as WW 2 who has stated before the Court that he was a dummy contractor. He was in fact an employee of the management. He was employed by Shri Duggal, General Manager of Western Coalfields Limited. He had only to keep the attendance of those workers given by the management. Management used to take out the amount in his name and Labour Welfare Officer used to make the payment to the workers in his presence. He was not a Contractor. He himself was working as a Carpenter. No tender was ever

submitted by him nor any contract was accepted by the management. According to him, from 1-2-1986 nine persons including himself were directly appointed by the management but the remaining eight persons were not regularised whose cases are pending before this Tribunal. This witness further says that Shri Sher Mohd was the junior most amongst the workers but he has been regularised.

17 Now we come to the testimony of MW 1, Y N Mathur who is working in Pathakhhera Area since May 1983 and is Deputy Personnel Manager, W C Ltd Pathakhhera. He admits that Shri Kishorilal Sahu was the Contractor but no separate tender was called (para 3 of his deposition). This witness admits, in his cross-examination (para 1) that the Saw Mill at Pathakhhera was working since about 1981. He is not aware of the terms of contract of Kishorilal for working in the Saw Mill (Cross examination para 2). He admits that instruments which were used in the Saw Mill were supplied by the management. He further admits that Mining Authorities used to supervise the work of the workers working in the Saw Mill as also what and for how much time the work was being carried out by them.

18 Strangely enough this witness says that no record of attendance was maintained and therefore he cannot say that these workmen were employed in the said Saw Mill. But these workmen were employed in the said Saw Mill as established from the testimony of WW-1, Kishorilal Sahu as also WW 3, Jaiaram Suryavanshi. Jaiaram Suryavanshi (WW-3) is an Overman in WC Ltd Pathakhhera.

19 WW 1 Y N Mathur admits in para 4 of his deposition that in the Coal Mines there is a prohibition to keep labour on contract basis through the Contractor. But because these workmen were employed in the Saw Mill they could be employed through the Contractor and the NCWA was not applicable to them. This witness could not deny that the son of workers Beni, Ramesh, Ramkishan and Imrat were ignored when the appointment was made. This witness further admits, that after removing the workers under reference they had employed Basun, Dayaram and Mohd Akhtar after about five months after approval from the authorities.

20 Coming to the testimony of Lakhon Lal (WW-1), he says that the work was of continuous and of permanent nature. It was supervised by Supervisors of the Mine. Kishorilal Sahu was just an employee and not a Contractor. They were given treatment by the Colliery workers free of charge and no other facilities were extended. Therefore a dispute was raised and settlement as per Ext M-1=Ex W-1 was arrived at between the parties. The terms of settlement are as follows —

Terms of Settlement

- 1 'It is agreed by the management that w.e.f. 27-1-1986, the Saw Mills at PK-1 and II will be operated by regular employees of the establishment, and the workers thus employed will be paid wages and other benefits as per the provisions of NCWA-3.
- 2 It is agreed by the Union that the dispute is finally resolved.
- 3 Both the parties will submit their compliance report by 6-2-1986, failing which it will be presumed that the settlement is fully implemented."

21 I have also gone through the other documents Ex M/2 to Ex M/6 and Ex W/2.

22 The only material document is Ex M/2. Relevant part of Ex M/2 is as follows —

"Two Saw Mills, one each at PK-1 and PK-2 Mines, are in operation which so far, have been operated by award of work to a contractor, as the work was of a casual nature. In view of increased requirement of sawn sleeper due to starting of additional depillaring works, it is proposed to abolish the contract system and start the work departmentally. It is also proposed to absorb the workers working in the Saw Machine as Badli Piece Rated."

These facts by themselves reveal of the real story. Obviously, the settlement Ex M/1 has been misconducted and distorted. It is true that this point has not been raised that the contractor was not registered under Section 12 of the Contract Labour (Regulation and Abolition) Act, 1970.

23. Now coming to the Contract Labour (Regulation and Abolition) Act, 1970, it is need less to say that this Act apply to this management also as per Section 1(4) of the Act and if these workmen are contractor's workmen they are covered under the definition of "workmen" as defined in Section 2 of the said Act. Every worker who works for principal employer to whom the provisions of the Abolition Act are attracted is to be treated as the worker of the employer unless the establishment had secured the certificate of registration for the relevant period and it had employed contract labour through a licensed contractor. In this case, there is no evidence to show that the contractors deployed in this mine to pick up coal by truck had licence as required by the said Act. There is no evidence nor any of the parties pleaded that Shri Kishorilal Sahu was registered under Section 12 of the Contract Labour (Regulation and Abolition) Act, 1970. I need not go into the relevant provision of law i.e. Section 7 according to which the principal employer of an establishment requires registration of the establishment in the prescribed manner. In the case of Food Corporation of India Loading and Unloading Workers Union Vs. Food Corporation of India—1988 FLR Summary of cases at page 1) it was held that because the Food Corporation of India being an industry within the meaning of I. D. Act having no certificate of registration of workmen employed by the Contractor could legitimately claim themselves workmen of the Corporation i.e. the principal employer. It is not a disputed fact here that management is an industry within the meaning of Section 2(j) of the I. D. Act. In this case, the contractor Respondent No. 2 had valid licence while the Corporation did not have a valid registration certificate to engage respondent No. 2 as its contractor for supplying contract labour. In these circumstances, it was held that the employment of this workman as contract labour was not valid in the eye of law and does not give any protection to the Corporation against the termination of the workman by the respondent No. 2.

24. Industrial adjudication generally does not encourage the employment of contract labour in modern times. Whenever a dispute is raised by the workman in regard to employment of contract labour by the employer it would be necessary for the Tribunal to examine the merits of the dispute apart from the general consideration that the contract labour should not be encouraged, and that in a given case the decision should rest not merely on theoretical or abstract objections to contract labour but also on the terms and conditions on which contract labour is employed and grievance made by the employees in respect thereof. As in other matters of industrial adjudication so in the case of contract labour theoretical or academic considerations may be relevant but their importance should not be over estimated. In the case of Standard Vacuum Refining Co. of India Ltd. Vs.

Workmen (1960-II ILJ SC 948—952) it was observed that the contract in the case related to four matter but the reference was confined to one only viz. cleaning maintenance work at the refinery including premises and plant. So far as this work is concerned, it is incidental to the manufacturing process and is necessary for it and of a perennial nature which must be done every day. Such work is generally done by workmen in regular employment of the employer and there should be no difficulty in having regular workmen for this kind of work. Matter would be different if the work was of intermittent or temporary nature or was so little that it would not be possible to employ full time workmen for the purpose. In these circumstances, it was held that the order of the Tribunal appears to be just and there are no good reasons for interfering with it.

25. In the case of Shibu Metal Works Vs. Workman (1966 (12) FLR 226) it was observed that where the work was of permanent nature and part and parcel of the manufacturing process, of the good, and labour engaged by the contractor was deprived of legal facilities enjoyed by other workers under the statute, the employment of contract labour was an unfair labour practice. As observed by the Royal Commission on Labour, if the management has to discharge complex responsibility laid upon it by law and equity it

would have full control over the selection, hour of work and payment to workers.

26. While explaining the distinction between the contractor and employee in the case of Chintaman Rao Vs. State of M.P. (AIR 1958 SC p 388) it has been observed that an employee unlike the contractor is under the control and supervision of the employer in respect of the details of work. The contractors, on the other hand, is required to do specific work for other persons without submitting himself to their control in respect of the details of work. The relation of master and servant and principal and agent may be said to be as thus :—

"A principal has a right to direct what work the agent has to do; but a master has further right to direct how the work has to be done.

(Lakshminarayan Ram Gopal Vs. Government of Hyderabad AIR 1954 SC 364) Supreme Court Labour and Services Digest (1950—78) p. 455 by Surendra Malik."

27. The Contract Labour (Regulation and Abolition) Act is a piece of social legislation for welfare of labourers and should be liberally construed (Lienel Edwards Ltd. Vs. Labour Enforcement Officer (1977 Lab. IC 1037 Calcutta).

28. While dealing with the question as to who is the employer in the case of Malhotra Enterprises Vs. State of U.P. (1978-II-LLJ p. 65) it has been observed that where the management or the intermediary contractor is the employer, whether vicarious juris existed between the management and the workmen, it was held that in the Laissez Faire economy based on common law and the Contract Act, the position may be different but in the industrial branch of Third World Jurisprudence based on social justice, mere contracts are not decisive and a complex of considerations are relevant in deciding the real dispute (1978-II-LLJ 397 SC) Labour Law Journal Digest, Editors LLJ Madras, Vol. 9, 1976-82 p. 319).

29. In the case of Hussainbhai Calicut Vs. Alath Factory Vs. Alath Factory Thizhilali Union and others (1978 SCC (L & S) p. 506) it has been observed as follows :—

"The true test is—

Where a worker or group of workers labours to produce goods or services and these goods or services are for the business of another, that other is, in fact, the employer. He has economic control over the workers' subsistence, skill, and continued employment. If he, for any reason, chokes off, the worker is, virtually, laid off. The presence of intermediate contractors with whom alone the workers have immediate or direct relationship ex contractu is of no consequence when, on lifting the veil or looking at the conspectus of factors governing employment, we discern the naked truth, though draped in different perfect paper arrangement, that the real employer is the Management, not the immediate contractor. Myriad devices half-hidden in fold after fold of legal form depending on the degree of concealment needed, the type of industry, the local conditions and the like, may be resorted to when labour legislation casts welfare

obligations on the real employer, based on Arts. 38, 39, 42, 43 & 43A of the Constitution. The court must be astute to avoid mischief and achieve the purpose of the law and not misled by the maya of legal appearances.

If the livelihood of the workmen substantially depends on labour rendered to produce goods and services for the benefit and satisfaction of an enterprise, the absence of direct relationship or the presence of dubious intermediaries or the make-believe trappings of detachment from the Management cannot snap the real-life bond. The story may vary but the inference defies ingenuity. The liability cannot be shaken off.

Of course, if there is total dissociation in fact between the disowning management and the aggrieved workmen, the employment is, in substance and real-life terms, by another. The management's adventitious connections cannot ripen into real employment."

30. In the case of *Western India Automobile Association Versus the Industrial Tribunal, Bombay and others* (1949 Federal Court p. 111) their Lordship have gone out to say that the Tribunal can direct in the case of dismissal that an employee shall have a relationship of employment with the other party although one of them is unwilling to have such relationship.

31. The discretion which an Industrial Tribunal has must be exercised in accordance with the well recognised principle. There is undoubtedly a distinction between Commercial and Industrial Arbitration. As has been pointed out by Ludwig Teller *Labour Dispute and Collective Bargaining Vol. I* page 536, "Industrial arbitration may involve the extension of an existing agreement, or the making of a new one, or in general the creation of new obligations or modifications of old ones, while commercial arbitration generally concerns itself with interpretation of existing obligations and disputes relating to existing agreements."

"A court of law proceeds on the footing that no power exists in the courts to make contracts for people; and the parties must make their own contracts. The courts reach their limit of power when they enforce contracts which the parties have made. An industrial Tribunal is not so fettered and may create new obligations or modify contracts in the interests of industrial peace, to protect legitimate trade union activities and to prevent unfair practice or victimisation. We cannot, however, accept the extreme position canvassed before us that an industrial Tribunal can ignore altogether an existing agreement or existing obligations for no rhyme or reasons whatsoever (*Rohtas Industries Ltd. Vs. Brihandan Pandey & others* (1956-II-LLJ p. 444)). This is a case where labourers were exploited by management (as also by contractor, if any) though this Court has not held so and not only their names were not found in any of the statutory registers but also it was falsely averred by management that no such workers were working at the site for loading of trucks which

is a work of perennial nature and was performed under the direct control of the management.

32. According to Mr. Justice Holmes, social justice is an inarticulate major premise which is personal and individual to every court and every judge. Incensed by this dictum, Bhagwati J. speaking for the Supreme Court in *Muir Mills Ltd. Vs. Sati Mill Mazdoor Union* (1955-I-LLJ p.1(6) SC) said :—

"the concept of social justice does not emanate from the fanciful notions of any particular adjudicator but must be founded on a more solid foundation".

But in a later case the Supreme Court assigns a more positive role to the concept of social justice in industrial adjudication. Gajendragadkar J. persistently emphasised the social and economic justice is the ultimate ideal of industrial adjudication and that social and economic justice has been given a place of pride in our Constitution. In *Rai Bahadur Diwan Badridas Vs. Industrial Tribunal Punjab* (1969 II-LLJ p.366 (370) speaking for the majority he further emphasised that—

"the doctrine of the absolute freedom of contract has thus to yield to the higher claims for social justice...under the impact of the demand of social justice the doctrine of absolute freedom of contract has been regulated...."

In other words of Hidayat Ullah J. Social justice is not based on contractual relations and is not to be enforced on the principles of contract of service. It is something outside these principles, and is invoked to do justice without a contract to back it (*Rashtriya Mills Mazdoor Sangh Vs. Apollo Mills Ltd.*) (1960-II-IIJ SC p. 263(271)).

33. Industrial jurisprudence is not static, rigid or textually cold but dynamic burgeoning and warm with life. It answers in emphatic negative the biblical interrogation. What man is there of you whom if his son asks bread will give him a stone? The Industrial Tribunals of India in areas unoccupied by precise black letter law, go by the constitutional mandate of social justice in the claims of the "little people". It may be one thing to settle a dispute by the agreement which effects only the interest of the parties to the agreement; it is quite a different thing for this Court to lay down a rule which will have a wider application. It would, therefore, be of little significance that these little people could not advance their pleadings without vagueness and could not give all the date of their service. Suffice it to say that from the pleadings and evidence on record it is established that these little men were workers of the management and they had worked for more than one year with the management.

34. While dealing with the definition of "workmen" vis-a-vis 'contractor' employee or the employee of the principal employer in *Basti Sugar Mills Ltd. Vs. Ram Ujagar* (1963-II-LLJ 447 SC) it has been observed that the workers employed by a contractor to remove press-mud from the sugar factory were held to be "workmen" employed by the factory because removing press-mud was considered ordinarily to be a part of the sugar factory. Likewise, in

Saraspur Mills Co. Ltd. Versus Ramanlal Chimanlal (1973-II-LLJ 130 132-133 SC) the workers of a canteen run by a cooperative society were held to be the workmen of the factory because the factory was under an obligation to maintain and run the canteen for its employees under the Factories Act and Rules thereunder. In this regard discussion at para 11 in the case of All India Railway Institute Association Vs. Union of India (1990 SCC Vol. 2, Part V, page 542) is note worthy.

35. Various tests have been applied to find out the relationship of employer and employee. In the modern world industrial operations have become complex and complicated and for the efficient successful functioning of any industry several incidental operations are called in aid and it is the totality of these operations that ultimately constitute the industry as a whole. Proof of existence of relationship can be made out as fairly and fully by circumstantial evidence as it can be by evidence which is direct. While the employee, at the time, when his services were engaged need not have known the identity of employer, there must have been some act or control by the parties recognised one and another as master and servant (See page 471 Malhotra, Vol. 1).

36. In order to determine the existence of relationship of independent contractor or employee "few problems in the law have given greater variety than the case arising on the borderline between what is clearly an employer-employee relation and what is clearly an independent entrepreneurial dealing", for "it is often easy to recognise a contract of service when you see it, but difficult to say where the difference lies". Problems of this kind have come before the courts with the advent of social legislation in England during the last ninety years and in India during the last fifty years. Consequently, a considerable body of case law has developed under the recent social welfare legislation. There has been extra-ordinary variety of relationship which have come in force at one time or another, and it is now clear that it is impossible to define a contract of service in the sense of stating a number of conditions which are both necessary to, and sufficient, for the existence of such a contract. This position has been succinctly stated in the American Jurisprudence. It is the element of control of the work, that distinguishes the relationship of master and servant from the independent contract relationship. The most important test in determining whether one employed to do certain work is independent contractor or mere servant is the control over the work which is reserved by the employer. Thus the most satisfactory test is to ascertain as to who is the employer at any particular time is to ask who is entitled to tell the employee the way in which he is to do the work upon which he is engaged.

37. In the words of Roskill, J. "control is obviously an important factor." "The control of the management, which is necessary element of the relationship of master and servant is not directed towards providing or dictating the nature of the article to be produced or the work to be done, but refers to the other incident, having a bearing on the process of work the person carries out in the execution of the work. The manner of work is to be distinguished from the type of work to be performed."

38. The distinction is also drawn between "contractor service" and "contract of service". The distinction is; in the one case the master can order or require what is to be done, while in the other case he can not only order or require what is to be done, but how it shall be done. In the words of Lord Denning "under the contract of service, a man is employed as a part of the business, and his work is done as an integral part of the business; whereas, under a contract for service, his work, although done for the business, is not integrated into it but is only accessory to it.

39. What in fact matter is lawful authority to command so far as there is scope for it. And there must always be some room for it if only in incidental or collateral matters. The question, therefore, is not whether the control is exercised, it is where is the right of control? and the distinction between the physical control and the right of control is important. The control includes the powers to decide the term, the way it will be done, the means employed in doing it, the time and place where it shall be done. All these aspects of control must be considered in deciding whether the rights exist in a sufficient degree to make one party a master and the other his servant. However, it has for long been apparent that analysis of the extent and the degree of such control is not in itself decisive. It is left to the courts of law to decide what the contract of employment or service is in the circumstances of each case.

40. Halsbury describes the test : "to distinguish between an independent contractor and the servant, the test is whether the employer retains the power, not only of directing what work is to be done, but also of controlling the manner of doing the work. If a person can be overlooked and directed in regard to the manner of doing his work, that person is not a 'contractor' (Halsbury's Laws of England, 3rd Edn. Vol. 25, page 498) (See Malhotra, Vol. I p. 470 to 477).

41. In the instant case, it is abundantly clear from the evidence on record particularly Ex. M1 and Ex. M2 and the testimony of the so called contractor that the workmen concerned were employees of the principal employer and not of the Contractor. It has not been challenged that they were working since last six years as alleged by the workmen in their statement of claim. Of course, N.C.W.A. II and III have not been placed before me but from the above discussions it establishes beyond doubt that the workers concerned were employees of the principal employer and their services could not be discontinued or they could not be stopped from work except in accordance with law. The work certainly was of perennial nature and from the above evidence and the law applied it stands established that the workmen concerned were workmen of the principal employer, and therefore they could not be stopped from working without legally terminating their services. I, therefore, record my findings as follows :—

That the action of the management of Patilakhara Area of Western Coalfields Limited Patilakhara, District Betul in dropping S/Shri Beni S/o Shri Kaluam, (2) Gulab S/o Shophail, (3) Rankishan S/o Puna, (4) Ramesh

S/o Shyam, (5) Lakhanlal S/o Mohanlal (6) Ramharak S/o Sitaram, (7) Karilash S/o Nandu and (8) Tanti S/o Shyama workers working on Saw Machine at their Pathakhera No. I and Pathakhera No. II Mines from work with effect from 28-1-1986 and not paying them wages to which they are entitled is illegal and unjustified. They are entitled to the work from the date from which they were stopped from work in Pathakhera No. I and Pathakhera II Mines and payment of wages with effect from 28-1-1986, with continuity of service and all consequential benefits. No order as to costs.

Reference is answered accordingly

V. N. SHUKLA, Presiding Officer,
[No. L-21011/34/86-D.III(B)]

का आ 32.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 17 के अनुसरण में केन्द्रीय सरकार वेस्टर्न कोल फील्ड्स लि. पेंच आर पोस्ट पारासिया के प्रबन्धन के सन्दर्भ में उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पक्षों को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-90 को प्राप्त हुआ था।

S.O. 32.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Coalfields Ltd., Pench Area Post Parasia (M.P.) and their workman, which was received by the Central Government on the 13-12-1990.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/IC(R)(76)/1987

PARTIES :

Employers in relation to the management of Western Coalfields Limited, Pench Area, P.O. Parasia, District Chhindwara (M.P.) and their workman, Shri Suresh Chand, worker (DPR) represented through the B K K K.M.S. (BMS), P.O. Chandemetta, District Chhindwara (M.P.).

APPEARANCES :

For Workman.—Shri B. P. Yadav.

For Management—Shri P. S. Nair, Advocate.

INDUSTRY : Coal Mining.

DISTRICT : Chhindwara (M.P.).
AWARD

Dated, December 4th, 1990

This is in reference made by the Central Government, Ministry of Labour, vide its Notification No. L-21012/

36/86-D.III(B) dated 27th May, 1987, for adjudication of the following dispute :—

“Whether the action of the management of W.C.L. Pench Area, Parasia, District Chhindwara in terminating services of Shri Suresh Chand, worker (DPR), w.e.f. 19-11-83 is justified? If not, to what relief the concerned workman is entitled?”

2. In this case both the parties have delivered their respective pleadings and filed certain documents in support of their case. The case was at the stage of admission and denial of documents and framing of issues. Since 23-6-1988 none appeared on behalf of the workman. The reason appears to be that the parties might have been negotiating for a mutual settlement of the case which appears to have been finalised on 26-9-89, on the following terms :—

Terms of Settlement

1. It is agreed that the employment shall be offered by the management to Shri Suresh Chand dependent and adopted son of late Shri Rajaram in Nagpur Area as piece rated Tub Loader subject to medical fitness.
2. This settlement shall be as full and final settlement of Dispute and the Union shall not raise any further dispute on this account or in respect of any benefit or payment.
3. This settlement shall not be treated as precedence in any other case.
4. The parties agreed to file the compromise settlement before the Presiding Officer, CGIT Jabalpur and request for an award in terms of settlement.

As already stated above the workman is not appearing since 23-6-88 and it appears that the workman has left interest in the case, may be, because of the above settlement. On 29-11-90 Shri Menon, Counsel for management stated that the settlement has been implemented. He also verified the settlement on behalf of the management but the settlement remained unverified on behalf of the workman. I therefore record a No Dispute Award and make no order as to costs.

V. N. SHUKLA, Presiding Officer
[No. L-22012/36/86-D.III(B)]

का आ 33.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 17 के अनुसरण में केन्द्रीय सरकार सुराकाखर कॉलरी आफ एस ई सी लि. पोस्ट बैंकिमोंग्रा (म.प्र.) के प्रबन्धन के सन्दर्भ में उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पक्षों को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-90 को प्राप्त हुआ था।

S.O. 33.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Surakachhar Colliery of M/s. S.E.C. Ltd., Post Bankimongra (M.P.) and their workmen, which was

received by the Central Government on the 13-12-1990.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(69)/1987

PARTIES :

Employers in relation to the management of Surakachhar Colliery, S.E.C. Ltd. Post Bankimongra, District Bilaspur (M.P.) and their workman, Shri Nilkanth, General Mazdoor, Category I, represented through the Chhattisgarh Khadan Karkhana Mazdoor Union, Bankimongra, P.O. Bankimongra, District Bilaspur (M.P.).

APPEARANCES :

For Workman—Shri Pambilash Shobhnath.
For Management—Shri R. Menon, Advocate.

INDUSTRY : Coal Mining DISTRICT : Bilaspur (M.P.)

AWARD

Dated : December 3rd, 1990

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-21012/39/86-D. III(B) dated 20th May, 1987, for adjudication of the following dispute :—

“Whether the punishment of dismissal from service imposed by the management of Surakachhar Colliery of SECL, Post. Bankimongra, Distt. Bilaspur (M.P.) on Shri Nilkanth, General Mazdoor Category-I is disproportionate to his alleged misconduct ? If yes, what relief is the workman entitled to ?”

2 Undisputed facts of the case are that Shri Neelkanth, workman concerned, was General Mazdoor Category-I in the employment of Surakachhar Colliery of S.F.C Ltd. Post Bankimongra, District Bilaspur (M.P.). He was dismissed from service. He was charge-sheet on 6-9-1985 and after departmental enquiry he was dismissed from service vide order dated 12/15-1-1986 with effect from 17-1-1986.

3. Charge-sheet given to the workman as per Ex. M/1—Fx. W/1 is as under :—

“It has been reported that on 1-9-1985 at about 8 00 a.m., when Shri D. K. Dutta, Under Manager was distributing the works, suddenly you came and started asking him in a commanding tone and in filthy languages:

” मैं अपना गंड के पीछे नहीं रहूंगा । मेरा हाजरी दो ।

You also threatened him with dire consequences saying :—

अपने घेरे को हाइर करने । मैं तुमको देख दूंगा । तुम हरापी है हराप खोर मादरचोद ।

You also disturbed him in official duties in the morning hours for which the works in progress of the company were badly hampered :—

The act as alleged to have been committed by you amounts to serious mis-conduct under Certified Standing Order under which your service conditions are governed, which reads as follows :—

Clause No. 17(i)-(r) :—Threatening, abusing or assaulting any superior or co-worker.

Clause No. 17(i)-(i) :—Causing wilful damage to work in progress or to property of the employer.”

4. According to the workman the punishment is excessive and disproportionate on the following grounds :—

1. The Manager, Shri Dutta had struck out his presence on 30-8-85.
2. He did not marked his presence on 31-8-85.
3. On 1-9-1985 he shown to have turned up at 8.30 A.M.
4. He was marked absent on 3rd and 4th of September, 1985 and his suspension was marked from 5-9-85 but even on that day no charge-sheet was issued to him
5. His pay for 30-8-85 was illegally deducted and he was punished for no rhyme or reason. Even this punishment should have been after calling explanation from him.
6. The evidence as adduced does not permit the drastic punishment amounting to dismissal.
7. His pay from 30-8-85 to 5-9-85 was deducted. He was kept under suspension from 6-9-86 to 23-11-86 i.e. for two months and ten days and thus he has suffered sufficient punishment. If for these reasons the workman had lost balance of his mind it is natural and thus the punishment of dismissal is disproportionate and compassionate view be taken looking to his past service. The order of dismissal be therefore set-aside and should be reinstated with all consequential benefits.

5. According to the management, the law and order situation and discipline is very essential for peaceful running of the industry. Any threat to peace and tranquility is to be viewed seriously. On 30-10-1985 the workman was directed to clean the drain of the travelling road passing near the conveyor belt and also to clean the conveyor belt as the work was urgently required from the point of safety to the workers. The workman not only refused to do the work but left the place of work without permission or information and without slightest justification. He was issued a warning letter by the Colliery Manager on 31-8-1985 and even thereafter the workman misconducted and abused and threatened the Under Manager on 1-9-1985. The work of the

Company was badly hampered. He was, therefore, given the above charge-sheet on 1-9-1985. After due enquiry he was dismissed from service. Of the Court thinks that the departmental enquiry has not been held proper, though this point has neither been raised in the order of reference nor in the pleadings of the workman, the management is prepared to lead evidence in regard to the misconduct of the workman concerned before this Tribunal. The reference is, therefore, liable to be rejected.

6. My learned predecessor framed the following issues which are answered as follows :—

ISSUES

1. Whether the domestic|departmental enquiry is proper and legal ?
2. Whether the punishment awarded is proper and legal ?
3. Whether the management is entitled to lead evidence before this Tribunal ?
4. Whether the termination|action taken against the workman is justified on the facts of the case ?
5. Relief and costs ?

FINDINGS WITH REASONS :

7. Issue Nos. 1 & 3 :—Neither the propriety of the departmental enquiry has been questioned in the order of reference nor the workman concerned in his statement of claim has contended so. Thus it cannot be said that the departmental enquiry was in any way illegal or not proper. Hence the question of management to lead evidence before this Tribunal in regard to the misconduct of the workman does not arise. I accordingly hold as follows :—

1. Domestic enquiry is proper and legal.
2. It is not necessary for the management to lead evidence before this Tribunal.

8. Issue Nos. 2, 4 & 5 :—There is nothing on record that the workman concerned was warned earlier. His pay was, however, deducted for 30-8-85 as per Ex. M/2 issued on 31-8-85. Obviously, this document contains misconduct of the workman, though it is not in issue in these proceedings.

9. Certainly this appears to be the cause of annoyance of the workman which resulted in his misconduct.

10. In this case parties have proved Ex. M/1 to Ex. M/9 and Ex. W/1 to Ex. W/6. No oral evidence was led from either side.

11. Ex. M/1 and Ex. M/9 is the attendance register relating to the workman concerned which is patently suspicious. Though pleadings are that the workman had left his place of work without permission or information but time and hours of his attendance appear to have been over written. He is shown to have been present at 7.30 a.m. and left at 2.30 p.m., but the figure "2" is over written. This creates suspicion in the mind of this Tribunal as to whether Manager was fair enough. Then again, he is shown absent on 31st of August. But, according to the workman, he was not absent. On 1st of September the workman is 3389 GI/90—6.

shown to have attended at 8.30 and left at 8.30 means he just made his attendance and nothing more. But while perusing the document I find that some other time was earlier noted which was erased and subsequently 8.30 to 8.30 was marked as entry and exit hours. This creates another suspicion in the mind of the Tribunal. Though he is marked absent on 3rd and 4th of September but neither he has been marked present or absent on the 2nd of September and his suspension has been recorded from 5th September onwards.

12. Now coming to Ex. M/1, it is dated 1-9-85. There is nothing on record to show that letter was issued to him on 1st September, 1985. He gave a reply Ex. M/3 on 8-9-1985. According to him, he was attending to his job right from 1st, 2nd, 3rd, 4th & 5th but his presence was not recorded and on 6th Sept. 1985 when he went on duty he was given a charge-sheet. His version appears to be more reasonable in the circumstances of this case.

13. In this view of the matter, it cannot be said that the Manager concerned was very clean. It is true that the question of law and order should be given paramount importance, but the mitigating circumstances of this case do not warrant dismissal of the workman concerned because according to him he was certainly mentally upset. Nothing could be pointed out that he had a bad previous record.

14. Considering all these facts and also in view of the aggravating circumstances which resulted in the misconduct of the workman concerned, I am of the opinion that the order of dismissal, in the facts of this case, is harsh and excessive. Workman has been dismissed since 1985. It would be sufficient punishment if he is not awarded any back wages and other reliefs of this period. His service shall be deemed to be continuous but without any back wages or consequential reliefs arising out of this order. Period of his absence shall not be treated for any consequential benefits also. My findings are, therefore, recorded as follows :

- (a) The punishment awarded is not proper though legal.
- (b) The termination|action taken against the workman is not justified on the facts of this case.
- (c) Workman concerned is entitled to reinstatement with continuity in service but without any back wages or consequential benefits arising during the period of his termination till this date. His period of suspension shall be dealt with by the management in accordance with law.
- (d) No order as to costs.

Reference is, therefore, answered as follows :—

Punishment of dismissal from service imposed by the management of Surakachhar Colliery of SECL, Post Bankimongra, District Bilaspur (M.P.) on Shri Nilkanth, General Mazdoor Category I is disproportionate to his alleged misconduct. It is therefore liable to be set aside and it is set aside the workman should be deemed to be in continuous service without any back wages and benefits of this period. Management shall deal with period of sus-

pension in accordance with law. No order as to costs. Awarded accordingly.

V. N. SHUKLA, Presiding Officer
[No. L-22012/39/86-D. III(B)]

का.स्रा 34 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दत्ता कोलरी ग्राफ में डब्ल्यू. सी. लि. कान्हा क्षेत्र, पोस्ट जूनारदेव (म.प्र.) के प्रबन्धन के संबंध निर्यातको और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-90 को प्राप्त हुआ था।

S.O. 34.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Datla Colliery of M/s. W.C. Ltd., Kanhan Area, Post Junnardeo (MP) and their workmen, which was received by the Central Government on the 13-12-1990.

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(194)/1989

PARTIES :

Employers in relation to the management of M/s. Western Coal Fields Limited, Datla Colliery of M/s. W.C. Ltd. Kanhan Area, P.O. Junnardeo, District Chhindwara and their workman Shri Kashinath S/o Shri Namdeo, represented through the Madhya Pradesh Kovla Khadan Mazdoor Panchayat (HMS) Post Junnardeo, District Chhindwara (M.P.).

APPEARANCES :

For Workman ... None.

For Management ... Shri R. Mohan, Advocate.

INDUSTRY : Coal Mining DISTRICT : Chhindwara (M.P.)

AWARD

Dated, December 3rd, 1990

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012(111)/89-IR(C.II) dated 29th September, 1989, for adjudication of the following dispute :—

“Whether the action of the management of Datla Colliery of M/s. W.C. Ltd. Kanhan Area, P.O. Junnardeo, District, Chhindwara in not giving advantage of increments for three years from 1983 to 1986 to Sri Kashinath son of Shri Namdeo for performing duties as Mining Sirdar while promoting him directly from Timber Mazdoor to Overman w.e.f. 14-6-86 is justified? If not, to what relief the workman concerned is entitled?”

2. The case was registered in this Tribunal on 6-10-89 and parties were noticed to file their respective statement of claim along with documents, list of reliance and witnesses on 28-11-1989. But neither the workman nor anybody on his behalf appeared nor filed statement of claim. Management has, however, filed its statement of claim.

3. It appears that the dispute was amicably settled between the parties on 12-9-1990 and the same is filed before this Tribunal. The terms of settlement, duly signed by Shri Deepak Mewar and Shri P. G. Jahagirdar on behalf of the management S/Shri G. N. Shah, Rajkumar Parasara and Kashinath on behalf of the workman, and verified by Shri R. Mohan, Advocate, for Management are as under :—

Terms of Settlement

1. It is agreed by both the parties that the workman will be taken into consideration as Mining Sirdar from 1st May, 1983, accordingly, he will be fixed in Overman's grade notionally in the year 1986.
2. On the fitment as mentioned in para 1, whatever arrears will arise, the monetary benefit arising out of above arrears will be paid to the workman from 1-7-88 onwards only and not prior to that.
3. The arrears will be paid to the workman after receiving the consent award from the CGIT, Jabalpur.
4. It is agreed by both the parties to file this settlement before the CGIT for giving consent award in reference to case No. CGIT/LC(R)/194/89.
5. The Union/individual concerned will not quote this as precedence in any other case.
6. This settlement is full and final regarding the dispute of fixation of Shri Kashinath for his fitness as Mining Sirdar/Overman.

Although the above terms appears to be fair, just and in the interest of the workman concerned, which have also been implemented as stated above by the counsel for management, but since the workman concerned has not taken care to appear before this Tribunal on any dates, even on dates after the mutual settlement, I have no option but to record a No Dispute Award as the terms of the settlement as appear to have been arrived at between the parties remained unverified on behalf of the workman concerned because of his absence. No order as to costs.

V. N. SHUKLA, Presiding Officer
[No. L-22011(111)/89-IR(C.II)]

का.स्रा 35 :— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार राजगमर कोलरी ग्राफ में एम. ई. सी. लि. पोस्ट राजगमर कोलरी (म.प्र.) के प्रबन्धन के संबंध निर्यातको और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-90 को प्राप्त हुआ था।

S.O. 35.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Cen-

tral Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Rajgamar Colliery of M/s. S.E.C. Ltd. Post, Rajgamar Colliery (MP) and their workmen, which was received by the Central Government on the 13-12-90.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M. P.)

CASE NO. CGIT|LC(R)(86)|1990

PARTIES :

Employers in relation to the management of S.E.C.L. Rajgamar Colliery, Post Rajgamar Colliery, District Bilaspur (M.P.) and their workman, Shri Hublal S/o Premi, represented through the Rashtriya Koyla Khadan Mazdoor Sangh (INTUC), 15 Block Quarter No. G-64, Korba, District Bilaspur-495677 (M.P.).

APPEARANCES :

For Workman.—Shri A. R. Kurrey.

For Management.—Shri R. Menon, Advocate.

INDUSTRY : Coal Mining DISTRICT : Bilaspur (MP)

: AWARD

Dated, December 3rd, 1990

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012(329)|89 IR(Coal-II) dated 22nd March, 1990, for adjudication of the following dispute :—

“Whether the action of the management of Rajgamar Colliery of M/s. S.E.C. Ltd., Bilaspur in recording the date of birth of Sri Hublal S/o Premi as 1-7-30 is justified ? If not, to what relief the workman concerned is entitled ?”

2. As the reference is, the question of recording the date of birth of Sri Hublal S/o Premi as 1-7-1930 by the management in their record has been raised by the workman, which has been referred to this Tribunal, for adjudication.

3. In this case both the parties have filed their respective statement of claim. The case was at the stage of filing rejoinder on behalf of the workman. On 20-11-1990 representative of the workman, Shri Kurrey, stated that the workman has expired about two months back. Reference has, therefore, become infructuous.

4. In view of the above statement of the representative of the workman, I have no option but to record an award to the effect that the matter referred for

adjudication has become infructuous since the workman concerned has expired. No order as to costs.

V. N. SHUKLA, Presiding Officer

[No. L-22012|329|89-IRCC.II]

का.भा. 36 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रीय सरकार पिपला कोलरी आफ मे. ब्ल्यू सो.लि. पोस्ट पिपला के प्रबन्धन के सबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-12-90 को प्राप्त हुआ था।

S. O. 36.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Pipla Colliery of M/s. W. C. Ltd., Post Pipla (M.S.) and their workmen, which was received by the Central Government on the 13-12-1990.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

CASE NO. CGIT|LC(R)(199)|1989

PARTIES :

Employers in relation to Western Coalfields Ltd., Pipla Colliery, Post Pipla, District Nagpur (M.S.) and their workman Shri Shyamdeo Nathu, Driver, represented through the Bhartiya Koyla Khadan Mazdoor Sangh, Patansaogi Branch, Tehsil Saoner, District Nagpur (M. S.).

APPEARANCES :

For Workman.—Shri Shirish Pandey.

For Management.—Shri Rajendra Menon, Advocate.

INDUSTRY : Coal Mining DISTRICT : Nagpur (M. S.)

AWARD

Dated, December, 4th, 1990

The Central Government in the Ministry of Labour vide its Notification No. L-22012(129)|89-IR (C. II) dated 28-9-1989 referred the following dispute to this Tribunal, for adjudication :—

“Whether the Sub-Arca Manager, Pipla Colliery of M/s Western Coalfields Ltd., Nagpur is justified in not offering Cat. V wages to Sri Shyamdeo Nathu, Driver and fixing his wages at Rs. 377.00 per month on 13-8-76? If not, to what relief the workman concerned is entitled ?”

2. Reference was received on 6-10-89. Statement of claim and documents of workman were received in this Tribunal on 16-11-1989. Management did not file any statement of claim. On 29-11-90 Shri Rajendra Menon, Advocate, filed a Memorandum of

Settlement duly signed and verified by both the parties. Nobody appeared on behalf of the workman to verify the settlement before this Tribunal. The terms of settlement duly arrived at between the parties are as under :—

Terms of Settlement

1. Sri Shyamdeo Nathu, the workman concerned in this dispute will be fixed in the basic of Rs. 377/- w.e.f. 1-8-76 in place of Rs. 330/- and subsequent pay fixation in Cat. V will be done according to extent rules of pay fixation of the company in promotion. However he shall not be paid any arrears till 30-6-87 and arrears will be paid from 1-7-87.
2. The arrear of pay fixation, if any, arising out of new fixation will be given w.e.f. 1-7-87.
3. The above settlement settles all the dispute between the parties. Sri Shyamdeo Nathu, the workman concerned or any other person, union on his behalf will neither claim any wages arrear for the period of 1-8-76 to 30-6-87 nor will claim any other benefit arising out of the dispute.
4. This settlement will not be treated as precedent in any other case by his Union or any other union.
5. The parties shall submit the settlement before Presiding Officer, CGIT Jabalpur and pray for an Award in terms of the settlement.

Counsel for Management, Shri Rajendra Menon, stated before this Tribunal on 29-11-90 that the above settlement has already been implemented. Obviously the workman is not appearing since 3-5-90 for the reason that the settlement has taken place. Since the workman has not taken care to verify the settlement before this Tribunal, I record a No Dispute Award as the dispute does not exist. No order as to costs.

V. N. SHUKLA, Presiding Officer
[No. L-22012/129/89-IR(C.II)]

नई दिल्ली, 21 दिसम्बर, 1990

का.आ. 37.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के प्रचुरण में, केन्द्रीय सरकार द्वारा काली आफ़ डेस्टन कोलफील्ड लि., पोस्ट जुमरारख, जिला छिन्दवाड़ा के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, घुसबंद में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

New Delhi, the 21st December, 1990

S.O. 37.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government In-

dustrial Tribunal, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Datla Colliery of W.C. Ltd., P.O. Junnardeo, Dist. Chhindwara, (M.P.) and their workmen, which was received by the Central Government.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC/(R)(118)/1985

PARTIES :

Employer in relation to the management of Datla Colliery of W.C. Ltd. P.O. Junnardeo, District Chhindwara (M.P.) and their workman Shri Bhupat Singh, Building Mate, represented through the R.K.K.M.S. (INTUC), P.O. Chandametta, District Chhindwara (M. P.).

APPEARANCES :

For Workman : Shri S. K. Rao, Advocate.

For Management : Shri Rajendra Menon, Advocate.

INDUSTRY : Coal Mining. DISTRICT : Chhindwara (M.P.)

AWARD

Dated, August 28, 1990

In exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government, Ministry of Labour, referred the following matter of dispute to this Tribunal, for adjudication :—

"Whether the action of the management of Datla Colliery of Western Coalfields Limited, in dismissing Shri Bhupat Singh, Building Mate with effect from 30-11-1984 is justified? If not, to what relief the workman is entitled?"

2. In this case parties contested the dispute by filing their respective statement of claims, rejoinders and documents. Issues were also framed by my learned predecessor. The case was thereafter fixed for arguments on points viz. (1) Whether the enquiry is proper and legal? (2) If not, whether the termination of the workman is justified on facts of the case and (3) Whether the punishment awarded is proper and legal. Parties did not argue the case on 10-4-86, 27-5-86, 17-6-86, 25-6-86, 21-7-86. Next date fixed for arguments was 25-8-86 on which date parties stated that the case is likely to be settled mutually and they sought time to file a settlement. The case was therefore fixed for 17-9-1986 for filing of settlement. After a number of dates fixed for filing of settlement, parties filed a Memorandum of Settlement dated 1-3-1987 on 13-8-1990, and also verified the same. The terms of settlement are as under :—

TERMS OF SETTLEMENT

1. It is agreed by the management to reinstate Sri Bhupat Singh at Tandsi Project of Kanhan Area. He shall report for duty to the Dy. CME, Tandsi Project within one month from the date of the settlement.
2. The period of absence from the date of dismissal to the date of joining will be treated as dies-non.
3. Shri Bhupat Singh will not be entitled to wages or any other payment whatsoever for the period of idleness from the date of dismissal to the date of reinstatement.
4. On reinstatement of Shri Bhupat Singh, he will be kept on probation for a period of one year during which period his performance and conduct will be closely watched. An assurance of good performance and conduct will be furnished by the workman in writing before joining the duties. If performance and/or conduct during the probation period is not found satisfactory, his services will be liable to be terminated. However, if his performance and conduct during the probation period are found satis-

factory, the management may consider to grant him continuity of service for the limited purpose of payment of gratuity.

- 5 The Union/workman agreed to drop all other claims/benefits in respect of the matter under dispute
- 6 This settlement settles the dispute fully and finally and it shall not be treated as precedent in any other case

Parties have also filed an Office Order No PM/12/87/460 dated 1-3-1987 signed by the Personnel Manager, Kanhan Area. The aforesaid Office Order dated 1-3-1987 reads as under —

"In pursuance of Memorandum of Settlement arrived at between RKKMS (INTUC) Union, Kanhan Area and the management of Kanhan Area Sri Bhupat Singh, ex-Civil Mate Cat IV of Datla Colliery is hereby reinstated and posted at Tandsi Project. He is directed to report for duty to the Dy CME, Tandsi Project

This issues with the approval of Competent Authority."

3 I have gone through the terms of settlement and Office Order dated 1-3-1987 which shows that the management has already implemented the settlement dated 1-3-1987. That being so, I give my award in terms of the settlement which appear to be just, fair and in the interest of the workman concerned. No order as to costs

It is pointed out that the settlement between the parties was arrived at as early as on 1-3-1987, but it has been filed only on 13-8-1990. Therefore the case remained unnecessarily pending after 1-3-1987 and date after date were being fixed on the requests of parties.

V. N SHUKLA, Presiding Officer
[No. L-22012(41)/85-D V]
RAJA LAL, Desk Officer

नई दिल्ली, 13 दिसम्बर, 1990

का आ. 38 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक जबलपुर के प्रबन्धन के सबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुवध में निम्नित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व श्रम न्यायालय, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-90 को प्राप्त हुआ था।

New Delhi, the 13th December, 1990

S.O. 38 — In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of India, Jabalpur and their workmen, which was received by the Central Government on 12-12-1990.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR, (U.P.)

CASE NO. CGIT/LC(R)(61)/1987.

PARTIES :

Employers in relation to the management of State Bank of India, Jabalpur and their workman Shri Giran Singh C/o Shri Gambhir Singh C/o Thakur Pan Bhandar, Private Colony, New Katni Junction, Jabalpur, (M.P.).

APPEARANCES :

For Workman : Shri D. P. Tiwari.

For Management : Shri B. G. Garg

INDUSTRY : Banking DISTRICT : Jabalpur (M.P.)

AWARD

Dated : November 23rd, 1990

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-12012/27486-D II(A) dated 5th May, 1987, for adjudication of the following dispute :—

"Whether the action of the management of the State Bank of India, Jabalpur in terminating services of Shri Giran Singh, Workman-cum-Cleaner w.e.f 31-1-81 is justified? If not, to what relief is the workman concerned entitled?"

2. Undisputed facts of the case are that the workman was employed at New Katni Branch of the State Bank of India as Sub-staff with effect from 8-7-1977 and he worked upto 31-1-1981 on which date he was stopped from service. It is also not disputed that the workman was performing duties of fetching water, cleaning the premises and to work as temporary Messenger and he was asked to take care of miscellaneous manual work.

3. According to the workman, he was daily paid wage earner. When he demanded higher rates as per Sastri Award as modified by Desai Award and Bipartite Settlements the management stopped him from work. The work is of permanent nature and after him one Sheoratan has been employed in place of workman concerned. This is an utter disregard to the provisions of Section 25G and 25-H of the I.D. Act. Stopping service is void ab initio and he is entitled to reinstatement with benefits of continuity of service, full back wages and increments and other benefits governing the service of the Sub-staff in the Bank.

4 According to the management, he worked on the following wages :—

Period	Wages
8-7-1977 to 16-2-1978	Rs. 1/- per day
18-2-1978 to 30-6-1978	Rs. 1/- per day
17-11-1978 to 30-6-1979	Rs. 2/- per day
11-8-1979 to 15-2-1980)	
1-3-1980 to 31-3-1980)	Rs. 3/- Per day
1-4-1980 to 19-4-1980)	
1-5-1980 to 21-10-1980)	
1-11-1980 to 21-11-1980)	Rs 5/- per day
1-1-1981 to 31-1-1981)	

He was also engaged as temporary Messenger for 32 days as per details given below and was paid wages at Rs. 12/- and Rs. 13/- per day.

Period	Number of days
17-2-1978	1
14-1-1980 to 15-1-1980	2
7-2-1980 and 8-2-1980	2
18-2-1980 to 29-2-1980	12
31-3-1980 to 5-4-1980	6
19-4-1980	1
22-7-1980	1
4-9-1980	1
1-10-1980 to 3-10-1980	3
6-11-1980	1
14-1-1981 to 16-1-1981	2

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The workman had to hardly work for a day each and he is not governed by Sastri Award or Desai Award. Even though the workman was a daily wage employee he was given an opportunity to face selection scheduled in April and June 1986. He faced the same unsuccessfully. He could not have been continued in the employment and he was not entitled to this opportunity after five years of discontinuity of employment. Raising this dispute after a lapse of five years, it is nothing but exploiting the labours by the Unionist, even otherwise the employee having not worked for 240 days in the preceding year has no protection of the provisions of the I.D. Act, Reference is, therefore, liable to be rejected.

5. Reference was the issue in this case.

6. No evidence was led by either party, oral or documentary.

7. Pleadings of the management themselves disclose that the workman worked for more than 240 days in the last preceding year from the date of his termination. Even otherwise also, he was available as and when required and applying the principles laid down in the case of H. D. Singh Vs. R. B. I and others [1985 S.C.C. (L&S) p. 975] he will be deemed to be in continuous service and having worked for more than 240 days as a workman. Even assuming that he was a daily rated or piece rated workman, he was a workman all right within the meaning of Sec. 2(s) of the I.D. Act.

8. That being the case, his services could not be terminated without complying with the provisions of Section 25-F of the I.D. Act being violative of the provisions of Sec. 25B of the I.D. Act. That apart, it has not been challenged that one Sheoratan has been employed in place of the workman. Thus his removal from service without any basis is nothing short of unfair labour practice and a violation of the provisions of Sec. 25-G of the I.D. Act.

9. That being the case, the workman concerned is entitled to reinstatement and would be deemed to be in continuous service from the date he has been removed because his removal from service is not justified. He is also entitled to continuity of service and all the consequential benefits.

10. It is true that the matter has been delayed but for that reasons the workman should not be deprived of his rights in the labour welfare legislation.

11. I accordingly hold that the action of the management of State Bank of India, Jabalpur in

terminating the services of Shri Giran Singh. Workman-cum-Cleaner with effect from 31-1-1981 is not justified. He is entitled to reinstatement with continuity of service and full back wages and all consequential benefits arising therefrom with no order as to costs. Reference is answered accordingly.

V. N. SHUKLA, Presiding Officer
[No. L-12012/274/86-D.II(A)]

S. C. SHARMA, Desk Officer

नई दिल्ली, 17 दिसम्बर, 1990

का.आ. 39.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (क) के उपखंड (6) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 1788 दिनांक 18 जून, 1990 द्वारा किसी भी खनिज तेल (कच्चा तेल) मोटर और विमानन स्पिरिट, जीजल तेल, निट्रो का तेल, ईंधन तेल, विविध हाइड्रोकार्बन तेल और उनके मिश्रण, जिनमें मिनथेटिक ईंधन, स्नेहक तेल और इसी प्रकार के तेल शामिल हैं, के निर्माण या उत्पादन में लगे उद्योग में सेवाओं को उक्त अधिनियम के प्रयोजनों के लिए 29 जून, 1990 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (क) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 29 दिसम्बर, 1990 से छह मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/2/84-डी-1(ए)]

New Delhi, the 17th December, 1990

S.O. 39.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour, S.O. No. 1788 dated the 18th June, 1990, the industry engaged in the manufacture or production of mineral oil (crude oil), motor and aviation spirit, diesel oil, kerosene oil, fuel oil, diverse hydrocarbon oils and their blends including synthetic fuels, lubricating oils and the like, to be a public utility service for the purposes of the said Act, for a period of six months, from the 29th June, 1990 ;

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period of six months ;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 29th December, 1990.

[No. S-11017/2/84-D.I(A)]

नई दिल्ली, 19 दिसम्बर, 1990

का.आ. 40.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (6) के उपबंधों के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 1833 दिनांक 22 जून, 1990 द्वारा कोयला उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 2 जनवरी, 1991 से छह मास का कालावधि के लिए लोक उपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम प्रयोजनों के लिए 2 जनवरी, 1991 से छह मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एम-11017/13/81-आई आर (पानिमी)]

New Delhi, the 19th December, 1990

S.O. 40.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 1833 dated the 22nd June, 1990 the Coal Industry to be a public utility service for the purposes of the said Act for a period of six months from the 2nd July, 1990 ;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months ;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a further period of six months from the 2nd January, 1991.

[No. S-11017/13/81-I.R. (Policy)]

का.आ. 21.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (7) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 1789 दिनांक 18 जून, 1990 द्वारा बैकिंग कम्पनी द्वारा चलाया जाता है, उक्त अधिनियम के प्रयोजनों के लिए 29 दून, 1990 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 29 दिसम्बर, 1990 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एम-11017/2/80-डी-1 (ए)]

S.O. 41.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 1789 dated the 18th June, 1990 the Banking Industry carried on by a Banking Company as defined in clause (bb) of section 2 of the said Act to be a public utility service for the purpose of the said Act, for a period of six months from the 29th June, 1990 ;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months ;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 29th December, 1990.

[No. S-11017/2/85-DI(A)]

नई दिल्ली, 24 दिसम्बर, 1990

का.आ. 42.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एन.डि.आर. 1-10-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 41 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध महाराष्ट्र राज्य के निम्न-लिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

“जिसा धूले में जालीमगाव (पूर्व) नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त अध्याय पहले ही लागू की जा चुकी है।”

[म एम-38013/30/90-एम-1]

New Delhi, the 24th December, 1990

S.O. 52.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Maharashtra namely :—

“The areas comprising Extended Municipal limits of Chalisgaon (Pune) in the district of Dhule except the areas in which the said provision of the Act have already been brought into force.”

[No. S-38013/30/90 SS, II]

का.आ. 43.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एन.डि.आर. 1-10-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 1 (धारा 11 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 6 और धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध महाराष्ट्र राज्य के निम्न-लिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

“नागार्ज (पूना क्षेत्र) नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है।”

[मं. एम-38013/31/90-एस.एस. I]

S.O. 43.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Maharashtra namely :—

“The areas comprising of Extended Municipal limits of Jalgaon (Pune area) except the areas in which the said provision of the Act have already been brought into force.”

[No. S-38013/31/90-SS-I]

का.प्रा. 44—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध महाराष्ट्र राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् —

“पूना (पूना क्षेत्र) नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है।”

[मं. एम-38013/32/90-एस.एस. I]

S.O. 44.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Maharashtra namely :—

“The areas comprising of Extended Municipal limits of Dhule (Pune Area) except the areas in which the said provision of the Act have already been brought into force.”

[No. S-38013/32/90-SS-I]

नई दिल्ली, 26 दिसम्बर, 1990

का.प्रा. 45—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 2 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के अध्याय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध महाराष्ट्र राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् —

“अमरावती (नागपुर क्षेत्र) नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है।”

[मं. एम-38013/33/90-एस.एस. I]

New Delhi, the 26th December, 1990

S.O. 45.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Maharashtra namely :—

“The areas comprising Extended Municipal limits of Amaravati (Nagpur Area) except the areas in which the said provision of the Act have already been brought into force.”

[No. S-38013/33/90-SS-I]

का.प्रा. 46 :—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध महाराष्ट्र राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् —

“जिला पूना में पिम्परी, चिंचवाड, भोसारी, अकुरडी (पूना क्षेत्र) नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है।”

[मं. एम-38013/34/90-एस.एस. I]

S.O. 46.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Maharashtra namely :—

“The areas comprising Extended Municipal Limits of Pimpri, Chinchwad, Bhosari, Akurdi in the district Pune except the areas in which the said provision of the Act have already been brought into force.”

[No. S-38013/34/90-SS-I]

का.प्रा. 47 :—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध कर्नाटक राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

राजस्व ग्राम का नाम	तालुक	जिला
बानाहट्टी ग्राम	जमाखण्डी	बीजापुर
असंगी ग्राम	जमाखण्डी	बीजापुर

[मं. एम-38013/35/90-एस.एस. I]

S.O. 47.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which

have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Karnataka.

Name of Revenue Village	Taluk	District
Banahatti Village	Jamakhandi	Bijapur
Asangi Village	Jamakhandi	Bijapur

[No. S-38013/35/90-SS.I]

का. भा. 48:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्ति की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“बुलन्दशहर नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[सं. एस-38013/36/90-एस.एस.-1]

S.O. 48.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

The areas comprising of Extended Municipal limits of Bulandshahr except the areas in which the said provision of the Act have already been brought into force.

[No. S-38013/36/90-SS.I]

का. भा. 49:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“जिला सम्बलपुर में झारसुगुडा नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही प्रवृत्त किये जा चुके हैं”।

[सं. एस-38013/37/90-एस.एस.-1]

S.O. 49.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Orissa namely:—

“The areas comprising of Extended Municipal limits of Jharsuguda in the District Sambalpur except the

areas in which the said provisions of the Act have already been brought into force.”

[No. S-38013/37/90-SS.I]

का. भा. 50:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्ति की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“वाराणसी नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[सं. एस-38013/38/90-एस.एस.-1]

S.O. 50.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of Extended Municipal limits of Varanasi except the areas in which the said provision of the Act have already been brought into force.”

(No. S-38013/38/90-SS.I)

का. भा. 51:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“जिला बुलन्दशहर में सिकन्दराबाद नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[सं. एस-38013/39/90-एस.एस.-1]

S.O. 51.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of Extended Municipal limits of Sikandarabad in the district Bulandshahr except the areas in which the said provision of the Act have already been brought into force.”

[No. S-38013/39/90-SS.I]

का. प्रा. 52:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध महाराष्ट्र राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“पूना नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[सं. एस-38013/40/90-एस.एस.-1]

S.O. 52.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Maharashtra namely:—

“The areas comprising of Extended Municipal limits of Pune except the areas in which the said provision of the Act have already been brought into force.”

[No. S-38013/40/90-SS. I]

का. प्रा. 53:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“शारनपुर नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[सं. एस-38013/41/90-एस.एस.-1]

S.O. 53.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of extended Municipal limits of Sharanpur except the areas in which the said provision of the Act have already been brought into force.”

[No. S-38013/41/90-SS. I]

का. प्रा. 54:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5

और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“रायबरेली नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[सं. एस-38013/42/90-एस.एस.-1]

S.O. 54.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of Extended Municipal limits of Raibareilly except the areas in which the said provision of the Act have already been brought into force.”

[No. S-38013/42/90-SS. I]

का. प्रा. 55:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“मेरठ नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[सं. एस-38013/43/90-एस.एस.-1]

S.O. 55.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of Extended Municipal limits of Meerut except the areas in which the said provision of the Act have already been brought into force.”

[No. S-38013/43/90-SS. I]

का. प्रा. 56:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“बरेली नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[सं. एस-38013/44/90-एस.एस.-1]

S.O. 56.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76, 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely :—

"The areas comprising of Extended Municipal limits of Bareilly except the areas in which the said provision of the Act have already been brought into force."

[No. S-38013/44/90-SS. I]

का.भा. 57.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्ति की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्—

"गोरखपुर नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है"।

[सं. एस-38013/45/90-एस.एस.-1]

S.O. 57.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76, 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely :—

"The areas comprising of Extended Municipal limits of Gorakhpur except the areas in which the said provision of the Act have already been brought into force."

[No. S-38013/45/90-SS. I]

का.भा. 58.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्ति की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्—

"मुजफ्फरनगर नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है"।

[सं. एस-38013/46/90 एस.एस.-1]

S.O. 58.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely :—

"The areas comprising of Extended Municipal limits Muzaffarnagar except the areas in which the said provision of the Act have already been brought into force."

[No. S-38013/46/90-SS. II]

का.भा. 59.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्ति की जा चुकी है) के उपबन्ध महाराष्ट्र राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्—

"जिला जलगांव में अमलनेर (पूना) नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है"।

[सं. एस-38013/47/90-एस.एस.-1]

S.O. 59.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Maharashtra namely :—

"The areas comprising of Extended Municipal limits of Amalner (Pune) in the district Jalgaon except the areas in which the said provision of the Act have already been brought into force."

[No. S-38013/47/90-SS. I]

का.भा. 60.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 3 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय, सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्ति की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्—

"इलाहाबाद नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है"।

[सं. एस-38013/48/90-एस.एस.-1]

S.O. 60.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely :—

"The areas comprising of Extended Municipal limits of Allahabad except the areas in which the said provision of the Act have already been brought into force."

[No. S-38013/48/90-SS. I]

का.भा. 61.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय

5 धारा 8 (धारा 76 को उपधारा (1) और धारा 77, 78, 79 धारा 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“बाराबंका नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[स. एस-38013/49/90-एस.एस.-1]

S.O. 61.—In exercise of the powers conferred by section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of sections 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of Extended Municipal limits of Baraobanki except the areas in which the said provision of the Act have already been brought into force”.

[No. S-38013/49/90-SS.I]

का.भा. 62:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसका उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्ति की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“लखनऊ नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[स. एस-38013/50/90-एस.एस.-1]

S.O. 62.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of sections 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of Extended Municipal limits of Lucknow except the areas in which the said provision of the Act have already been brought into force”.

[No. S-38013/50/90-SS.I]

का.भा. 63:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्ति की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“कानपुर नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[स. एस-38013/51/90-एस.एस.-1]

S.O. 63.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance

Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of sections 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of Extended Municipal limits of Kanpur except the areas in which the said provisions of the Act have already been brought into force”.

[No. S-38013/51/90-SS.I]

का.भा. 64:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसका उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्ति की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“मुरादाबाद नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[स. एस-38013/52/90-एस.एस.-1]

S.O. 64.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of sections 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of Extended Municipal limits of Moradabad except the areas in which the said provision of the Act have already been brought into force”.

[No. S-38013/52/90-SS.I]

का.भा. 65:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्ति की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“आगरा नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[स. एस-38013/53/90-एस.एस.-1]

S.O. 65.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of sections 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of Extended Municipal limits of Agra except the areas in which the said provision of the Act have already been brought into force”.

[No. S-38013/53/90-SS.I]

का.भा. 66:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“रामपुर नगर पालिका की बड़ी हुई सीमाओं के अन्तर्गत आने वाले क्षेत्र उन क्षेत्रों के सिवाय जहाँ उक्त व्यवस्था पहले ही लागू की जा चुकी है”।

[सं. एस-38013/54/90-एस.एस.-1]

S.O. 66.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of sections 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Uttar Pradesh namely:—

“The areas comprising of Extended Municipal limits of Rampur except the areas in which the said provision of the Act have already been brought into force”.

[No. S-38013/54/90-SS.I]

का.भा. 67:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-1-91 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा -44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 (धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध पंजाब राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

क्रम संख्या	गांव का नाम	हवस नं.
1.	भारोरीवाल	374
2.	फतेहपुर	377
3.	बादली गुरु	380
4.	पनडोरी बरीह	285
5.	रखजीता	142
6.	निजपुरा	144
7.	मेहरबानपुरा	146
8.	जनीयाम	136
9.	नवानकोट	145

[सं. एस-38013/55/90-एस.एस.-1]

ए.के. भट्टारार्थ, भवर सचिव

S.O. 67.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st January, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of sections 76 and 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely:—

Sl. No.	Name of Village	Had Bast No.
1.	Bharoriwal	374
2.	Fatehpur	377
3.	Wadli Guru	380
4.	Panodori Waraich	285
5.	Rakhjeeta	142
6.	Nijarpura	144
7.	Meharbanpura	146
8.	Janian	136
9.	Nawankot	145

[No. S-38013/55/90-SS.I]

A. K. BHATTARAI Under Secy.

नई दिल्ली, 20 दिसम्बर, 1990

का.भा. 68:—जूना पत्थर और डोलोमाइट खान अम कल्याण निधि अधिनियम, 1973 के नियम 3 और नियम 18 के उप नियम (2) के साथ पठित जूना पत्थर तथा डोलोमाइट खान अम कल्याण निधि अधिनियम, 1972 (1972 का 62) की धारा 6 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा कर्नाटक राज्य के लिए एक सलाहकार समिति गठित करती है, जिसमें निम्नलिखित सदस्य होंगे, अर्थात्:—

- | | |
|---|--------------------------|
| 1. अम मंत्री, कर्नाटक सरकार | अध्यक्ष |
| 2. कल्याण आयुक्त, बंगलौर | उपाध्यक्ष (पदेन) |
| 3. क्षेत्रीय श्रमायुक्त (के.) बंगलौर | पदेन सदस्य |
| 4. श्री एम शंकर देवडी
सदस्य, विधान सभा, सिरागुप्पा | सदस्य |
| 5. श्री बलजीत सिंह, खान मालिक
होम्पेट बेल्लारी रोड, कर्नाटक | नियोजकों के प्रतिनिधि |
| 6. श्री प्रार. शिवकुमार, अध्यक्ष
कुमार प्रुस प्रेनाइट निर्यातक, 25वां,
प्रथम तल, 9 वां मुख्य 12वां ब्लॉक,
कुमारा पार्क पश्चिम, बंगलौर-20 | |
| 7. श्री के. समसही,
पुल श्री के. करोम साब, टेमीनाकेरी, हरिद्वार | कर्मचारियों के प्रतिनिधि |
| 8. श्री प्रार. हुसैन पीरन, अध्यक्ष,
एसमिअर बक्स युनियन, मार्फत एसमिअर लि.,
डाकघर देवगिरि, सौबपुरतालुक, जिला बेल्लारी | |
| 9. श्रीमती भासव रामेश्वरी,
संसद सदस्य, बेल्लारी। | महिला प्रतिनिधि |
| 10. कल्याण प्रशासक, जूना पत्थर और
डोलोमाइट खान अम कल्याण निधि, बंगलौर | सचिव |

2. केन्द्रीय सरकार इसके द्वारा उक्त समिति के मुख्यालय के लिए बंगलौर नियत करती है।

[सं. यू-19012/12/88-इस्यू-II (सी)]

New Delhi, the 20th December, 1990

S.O. 68. —In exercise of the powers conferred by section 6 of the Limestone and Dolomite Mines Labour Welfare Fund Act 1972 (62 of 1972), read with sub-rule (2) of the rule 3 and rule 18, of the Limestone and Dolomite Mines Labour Welfare Fund Rule 1973, the Central Government hereby constitutes an Advisory Committee for the State of Karnataka consisting of the following members namely :—

- | | |
|--|--------------------------------|
| 1. Minister for Labour,
Government of Karnataka, | ...Chairman |
| 2. Welfare Commissioner,
Bangalore, | —Vice-Chairman
(ex-officio) |
| 3. Regional Labour Commissioner
(Central), Bangalore | ...Member
(ex-officio) |
| 4. Shri M. Shankar Reddy,
Member, Legislative Assembly
Sirdugguppa. | Member |
| 5. Shri Balaji Singh,
Mine Owner,
Hospet Bellary Road,
Karnataka. | Employers' Representatives. |
| 6. Shri R. Shivkumar,
Chairman,
Kum Groups Granite Exporters,
25th, 1st Floor, 9th Main
12th Block, Kumara Park West,
Bangalore-20. | |
| 7. Shri K. Sahai,
S/o K. Kareem Sab,
Tegglnakeri,
Harihar. | |
| 8. Shri R. Hussain Peeran,
President,
SMIORE Workers Union,
C/o SIMORE Ltd., Deogiri Post,
Sondur Tq., Bellary District. | Employees' Representatives. |
| 9. Smt. Basava Rajeshwari,
Member, of Parliament,
Bellary. | Woman Representatives |
| 10. Welfare Administrator
Limestone & Dolomite Mines
Labour Welfare Fund,
Bangalore. | Secretary |

2. The Central Government hereby fixes Bangalore to be the head quarters of the said Advisory Committee.

[No. U-19012/12/88-W. II(C)]

का.प्र. 69. — बीड़ी कर्मकार कल्याण निधि नियम, 1978 के नियम 3 के उप नियम (2) और नियम 18 के साथ पठित बीड़ी कर्मकार कल्याण निधि अधिनियम, 1976 (1976 का 62) की धारा 5 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, कर्नाटक राज्य के लिए एक संसाहकार समिति गठित करती है जिसमें निम्नलिखित सदस्य होंगे, यथातः :-

- | | | | |
|---|-------------------|---|-------------------|
| 1. भ्रम मंत्री,
कर्नाटक सरकार | अध्यक्ष | मैसर्स सुधासिनी बीड़ी प्राइवेट लि.,
करनगलपाडी, साउथ कानारा,
मंगलूर-575003 | |
| 2. कल्याण आयुक्त,
बंगलूर | उपाध्यक्ष
पदेन | 6. श्री एम. जनार्दन राय,
मैनेजिंग पार्टनर,
बंगलूर गणेश बीड़ी वर्क्स,
सैन्ट्रल धाफित, बिनोबा रोड,
मैसूर-5। | नियोजक प्रतिनिधि |
| 3. भ्रम आयुक्त,
बंगलूर। | सदस्य | 7. श्री के. मुत्ताया,
प्रीजीवेंट,
सीटू कर्नेटी, मैदान रोड,
मंगलूर। | कर्मकार प्रतिनिधि |
| 4. श्री रामानाथ राव,
विधान सभा सदस्य,
कालीगे हाउस, कालीगे पोस्ट,
बस्तबाक तालुक, डी.के. जिला,
कर्नाटक राज्य। | सदस्य | 8. श्रीमती यंगुबाई महालिंग उपासे,
प्रीजीवेंट, बीड़ी सजदूर संघ,
शिवाजी नगर, गिपानी-591237। | प्रतिनिधि |
| 5. श्री यू. गोपालाकृष्ण नायक,
अध्यक्ष, | | 9. कल्याण प्रशासक | सचिव |

2. उक्त संसाहकार समिति का मुख्यालय बंगलूर में होगा।

{सं. यू.-19012/4/88-इस्ट-II (सी)}
पी.डी. नागर, धनर सचिव

S.O. 69—In exercise of the powers conferred by section 5 of the Beedi Workers Welfare Act, 1975 (62 of 1976) read with sub-rule (2) of rule 3 and rule 36 of the Beedi Workers Welfare Fund Rules, 1979 the Central Government hereby constitutes an Advisory Committee for the State of Karnataka consisting of the following members, namely :—

1. Minister for Labour, Government of Karnataka.	Chairman
2. Welfare Commissioner, Bangalore.	Vice Chairman (ex-officio)
3. Commissioner of Labour, Karnataka Bangalore.	Member
4. Shri Ramanatha Rao M.L.A., Kallige House, Kallige Post, Bantwal Taluk, D.K. Distt., Karnataka State.	Member
5. Sri U. Gopalakrishna Nayak, Chairman, M/s. Suvasini Beedi Private Ltd, Kitrangalpadi, South Kanara, Mangalore-575003.	Employers' Representatives
6. Sri M. Janardhan Rao, Managing Partner, Mangalore Ganesh Beedi Works, Central Office, Vinoba Road, Mysore-5.	
7. Sri K. Musabha, President, CITU Committee, Maidan Road, Mangalore.	Workers' Representatives
8. Smt. Gangubai Mahalinga Upase, President, Beedi Mazdoor Sangha, ShivaJinagar, Nippani-591237.	
9. Welfare Administrator, Bangalore.	Secretary
2. The Headquarter of the said Advisory Committee shall be at Bangalore.	

[No. U-19012/4/88-W. II (C)
V.D. NAGAR, Under Secy.]

